

**2010 Virginia General Assembly
Legislative Report
2/28/2010**

This has been an important week for VUHCC at the General Assembly.

I call your attention to Myles' comments under *Transportation Funding* below. As noted we testified in favor of Sen. Hanger's indexing bill, pointing out that if the legislators believe, as a matter of policy, that there ought to be a link between vehicle miles traveled, and the primary tax we use to maintain and build roads (the gas tax), then they need to consider indexing as suggested by the Hanger bill. Read carefully what Myles has said about how the committee responded as their comments suggest a major shift by conservative republicans in the House regarding increasing the gas tax.

It is important to note that legislation which VUHCC has been working on for 13 months, House Bill 1230 dealing with sewer laterals, has now been approved by both House and Senate and is off to the Governor for his consideration.

Finally, the last item in the report is significant, and delays implementation of the proposed new storm water management regulations that we opposed in order for the feds to update and correct their data regarding phosphorous levels in the bay, and for the development industry to have more of a role in shaping the final regulations.

There are two weeks left in the scheduled session. A lot of what's left will be budget focused.

Each of your associations will shortly be scheduling a dinner meeting with our lobbyists to discuss and review legislation considered at the 2010 session. I urge you to attend those meetings.

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Composite view with notes

Bills	Committee	Last action	<u>Date</u>
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) Left in Militia, Police and Public Safety	02/16/10
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; JLARC to administer a performance audit, report.	(H) Committee on Appropriations <hr/> (S) Committee on Rules	(S) Reported from Rules (15-Y 0-N)	02/26/10
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) Left in Militia, Police and Public Safety	02/16/10
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) Passed Senate (39-Y 0-N)	02/26/10
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;	(H) Committee on Militia, Police and	(H) Left in Militia, Police and Public Safety	02/16/10

texting while driving primary offense.	Public Safety		
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) Left in Militia, Police and Public Safety	02/16/10
HB 222 - Watts - Secondary highway system; VDOT & DRPT to review new design standards components therefor.	(H) Committee on Transportation (S) Committee on Transportation	(S) Reported from Transportation (15-Y 0-N)	02/25/10
HB 224 - Watts - Highways; payments to cities and towns for maintenance.	(H) Committee on Transportation	(H) Left in Transportation	02/16/10
HB 230 - Watts - Motor fuels tax rate increase; allocation of construction funds for primary highway system.	(H) Committee on Finance	(H) Left in Finance	02/16/10
HB 269 - Englin - Retail Sales and Use Tax; increases rate on motor fuels in Northern Virginia.	(H) Committee on Finance	(H) Left in Finance	02/16/10
HB 276 - Albo - Highway maintenance funds; requires CTB to allocate funds on basis of achieving level of disparity.	(H) Committee on Transportation (S) Committee on Transportation	(S) Referred to Committee on Transportation	02/15/10
HB 277 - Albo - Washington Bypass transportation corridor; Transportation Board to establish.	(H) Committee on Appropriations	(H) Left in Appropriations	02/16/10
HB 342 - Marshall, R.G. - Alcoholic beverage control; privatization of ABC stores.	(H) Committee on General Laws	(H) Left in General Laws	02/16/10
HB 391 - Lohr - Highways; payments to cities and towns for maintenance of certain.	(H) Committee on Transportation (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 (S) Committee on	(S) Passed Senate (40-Y 0-N)	02/23/10

	Transportation		
HB 404 - Oder - Transportation funding and administration; provides funding in certain localities.	(H) Committee on Appropriations	(H) Left in Appropriations	02/16/10
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) Left in Transportation	02/16/10
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) Passed Senate (40-Y 0-N)	02/25/10
HB 542 - Marshall, D.W. - Minority Business Enterprise, Department of; includes retired military personnel-owned business.	(H) Committee on General Laws	(H) Left in General Laws	02/16/10
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) Left in Transportation	02/16/10
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	(S) Referred to Committee on Agriculture, Conservation and Natural	02/10/10

	Natural Resources <hr/> (S) Committee on Agriculture, Conservation and Natural Resources	Resources	
HB 631 - Scott, E.T. - Commonwealth Transportation Commissioner; advertising for bids.	(H) Committee on Transportation <hr/> (S) Committee on Transportation	(S) Signed by President	02/19/10
HB 665 - May - Budget bill; Governor to provide for additional appropriations to Transportation Trust Fund.	(H) Committee on Appropriations <hr/> (S) Committee on Finance	(S) Referred to Committee on Finance	02/17/10
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 and those newly hired to perform work in State.	(H) Committee on Appropriations <hr/> (S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	02/17/10
HB 756 - Stolle - Offshore drilling; royalties to be deposited in Transportation Trust Fund, etc.	(H) Committee on Appropriations <hr/> (S) Committee on Finance	(H) Bill text as passed House and Senate (HB756ER)	02/24/10
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) Left in Militia, Police and Public Safety	02/16/10

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) Left in Transportation	02/16/10
HB 900 - Comstock - 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 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) Left in Transportation	02/16/10
HB 1153 - Scott, J.M. - Motor fuels tax; converts rates of taxation from cents per gallon to percentage rates.	(H) Committee on Finance	(H) Left in Finance	02/16/10
HB 1158 - Oder - Primary & secondary road projects; establishment & use of regional accounts by Transportation Board.	(H) Committee on Transportation <hr/> (S) Committee on Finance	(S) Referred to Finance	02/25/10
HB 1220 - Hugo - Stormwater	(H) Committee on	(S) Passed Senate (40-Y	02/24/10

management regulations; changes effective date that establishes local program criteria.	Agriculture, Chesapeake and Natural Resources <hr/> (S) Committee on Agriculture, Conservation and Natural Resources	0-N)	
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) Passed Senate (40-Y 0-N)	02/25/10
HB 1279 - McClellan - Public Procurement Act; certain amount of contracts to be awarded to small businesses, etc.	(H) Committee on General Laws	(H) Left in General Laws	02/16/10
HB 1309 - Scott, E.T. - Public Procurement Act; procurement of certain professional services by Transportation Commissioner.	(H) Committee on General Laws <hr/> (S) Committee on General Laws and Technology	(S) Referred to Committee on General Laws and Technology	02/15/10
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) Left in Privileges and Elections	02/16/10
HJ 61 - Plum - Transportation Needs, Commission on; established, report.	(H) Committee on Rules	(H) Left in Rules	02/16/10
HJ 67 - Marshall, R.G. - Constitutional amendment; Transportation Funds (first resolution).	(H) Committee on Privileges and Elections	(H) Left in Privileges and Elections	02/16/10
HJ 68 - Rust - Highway; Joint Commission on Transportation Accountability to develop plan to place toll on certain.	(H) Committee on Rules <hr/> (S) Committee on Rules	(S) Assigned Rules sub: #1	02/19/10

HJ 69 - Watts - Constitutional amendment; Transportation Funds (first reference).	(H) Committee on Privileges and Elections	(H) Left in Privileges and Elections	02/16/10
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) Assigned Rules sub: #1	02/19/10
HJ 86 - Marshall, D.W. - Constitutional amendment; Transportation Trust Fund (first reference).	(H) Committee on Privileges and Elections	(H) Left in Privileges and Elections	02/16/10
HJ 91 - Purkey - Alcoholic Beverage Control Board; disposition of real estate used for government stores.	(H) Committee on Rules	(H) Left in Rules	02/16/10
HJ 96 - May - Transportation Needs, Commission on; established report.	(H) Committee on Rules	(H) Left in Rules	02/16/10
SB 10 - Blevins - 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 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 material men's liens; removes certain requirements.	(H) Committee for Courts of Justice <hr/> (S) Committee for Courts of Justice	(H) Reported from Courts of Justice (19-Y 0-N)	02/26/10
SB 114 - Petersen - Motor fuels tax; rate increase or decrease each year using fuel efficiency index.	(S) Committee on Finance	(S) Left in Finance	02/16/10
SB 123 - Petersen - Stormwater management; developer of single lot to provide where redevelopment is proposed.	(S) Committee on Local Government	(S) Left in Local Government	02/16/10
SB 132 - Obenshain - Retail Sales and Use Tax; increases distribution	(S) Committee on Finance	(S) Left in Finance	02/16/10

to Transportation Trust Fund.			
SB 164 - Edwards - Transportation; source of revenue by increase of motor vehicle sales and use tax.	(S) Committee on Finance	(S) Left in Finance	02/16/10
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) Left in Finance	02/16/10
SB 225 - Barker - Public Procurement Act; verification of legal presence for employment in U.S.	(S) Committee on Commerce and Labor	(S) Left in Commerce and Labor	02/17/10
SB 235 - Watkins - Nonhazardous solid waste permit fees; Waste Management Board shall periodically review annual fees.	(H) Committee on Agriculture, Chesapeake and Natural Resources <hr/> (S) Committee on Finance	(H) Tabled in Agriculture, Chesapeake and Natural Resources (17-Y 5-N)	02/24/10
SB 245 - Watkins - 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 246 - Watkins - Noise ordinance; authorizes governing body to adopt civil penalties.	(H) Committee on Counties, Cities and Towns <hr/> (S) Committee on Local Government	(S) Title replaced 10105453D-H1	02/25/10
SB 254 - Miller, Y.B. - Commonwealth Transportation Commissioner; advertising for bids.	(H) Committee on Transportation <hr/> (S) Committee on Transportation	(S) Signed by President	02/25/10
SB 255 - Miller, Y.B. - Commonwealth Transportation	(H) Committee on Transportation	(S) Signed by President	02/25/10

Board; rules and regulations.	(S) Committee on Transportation		
SB 285 - Deeds - Unpaved secondary road fund; use of proceeds.	(H) Committee on Transportation (S) Committee on Transportation	(H) Tabled in Transportation (11-Y 10-N)	02/23/10
SB 318 - Ruff - Subdivision ordinance; dedication of public improvements.	(H) Committee on Counties, Cities and Towns (S) Committee on Local Government	(H) VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)	02/23/10
SB 343 - Hanger - Fuels taxes; annually adjusted.	(H) Committee on Finance (S) Committee on Finance	(H) Subcommittee recommends continuing to 2011	02/24/10
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.	(H) Committee on Agriculture, Chesapeake and Natural Resources (S) Committee on Agriculture, Conservation and Natural Resources	(H) VOTE: BLOCK VOTE PASSAGE (96-Y 0-N)	02/26/10
SB 443 - Obenshain - Alcoholic beverage control; privatization of ABC stores.	(S) Committee on Finance	(S) Left in Finance	02/16/10
SB 513 - Norment - Racing Commission; distribution of allocations from live and simulcast horse racing.	(H) Committee on General Laws (S) Committee on	(H) Subcommittee recommends laying on the table (5-Y 2-N)	02/25/10

	Finance		
SB 517 - Norment - Wireless telecommunications devices; prohibits talking on such device unless in hands-free mode.	(H) Committee on Militia, Police and Public Safety (S) Committee on Transportation	(H) Tabled in Militia, Police and Public Safety	02/26/10
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) Left in Finance	02/16/10
SB 691 - Obenshain - Minority Business Enterprise, Department of; enhancement measures for small, etc., businesses.	(S) Committee on Finance	(S) Left in Finance	02/16/10
SB 694 - McWaters - Budget bill; Governor to provide for additional	(S) Committee on Finance	(S) Failed to report (defeated) in Finance (6-Y	02/09/10

appropriations to Transportation Trust Fund.		9-N)	
<u>SB 703</u> - <u>Marsden</u> - Public Procurement Act; preference for construction contractors hiring local residents.	<u>(S) Committee on General Laws and Technology</u>	(S) Committee amendments	02/03/10
<u>SJ 94</u> - <u>Miller, J.C.</u> - Motor fuels tax; Virginia Transportation Research Council to study desirability, etc., of replacing.	<u>(H) Committee on Rules</u> <hr/> <u>(S) Committee on Rules</u>	(H) Referred to Committee on Rules	02/18/10