

Legislative Report- 2/2/2014

This Week in the General Assembly

With Crossover (the point in the session when each chamber must complete work on its bills) fast approaching and the budget amendment deadline behind us, the pace in the General Assembly has hit its busiest point this week. Bills are moving quickly out of committee and being considered by the full House and Senate.

The Senate once again became the focus of attention on Tuesday when the chamber was returned to a 20-20 balance after Democrat and former Delegate Lynwood Lewis survived his recount and was finally sworn in, filling the unexpired term of Ralph Northam. With Lieutenant Governor Northam becoming the tie-breaking vote in the Senate, the Democrats moved swiftly to take back control of the chamber. The Democrats invalidated the rules the Republicans adopted in 2012 and reconstituted the standing committees in the chamber giving them control of all the standing committees with the exception of the Local Government and Rehabilitation and Social Services Committees. Democrats will chair all of the committees. Creigh Deeds (D-Bath County) becomes the new Chair of Senate Transportation. It is interesting to note that Senator Chuck Colgan (D-Prince William County) insisted that Senator Walter Stosch (R-Henrico County) Co-chair the powerful Finance Committee with him. This is the only co-chairmanship in the Senate Chamber.

While the change in chairmanships and committee ratios was expected, the Republicans were surprised by a change in the Senate rules that would allow any bill “substantially amended” by the House to be sent to the Senate Rules committee, rather than allowing the full Senate to consider the bill as has been the practice historically. Republicans unsuccessfully argued this was unconstitutional and provides one Chamber, in this case the Senate, a veto over the other Chamber. As Senator Stosch put it, it will “squash the bicameral nature of this legislature”. The Democrats, led by now Majority Leader Dick Saslaw (D-Fairfax) vowed this was not a path they expect to use often, and were able to push the rules change through the Senate.

Minority Leader Tommy Norment (R-James City) has said that the Republicans will not hold up the budget due to anger over the rules and committee changes, which the Democrats did in 2012. Despite the comments from Senator Norment, the threat of blocking the budget remains a powerful point of leverage for the Senate Republicans.

Legislation of Interest

As the Session progresses, fewer bills remain in play. Some legislation of interest to VUHCC members that remains active includes the following:

Commonwealth Transportation Board (CTB)

Several bills offered that would restructure, increase membership or change the conditions necessary for the Governor to remove members from the CTB are lined up to be heard in the House Transportation committee during the coming week.

HB 2, patroned by Delegate Chris Stolle (R-Virginia Beach) would provide that funding allocations for the Northern Virginia highway construction district and the Hampton Roads highway construction district be made by giving priority

to the projects expected to provide the greatest congestion reduction relative to the cost of the project. Funding allocations for the seven other highway construction districts would be made by giving priority to either the projects expected to provide the greatest congestion reduction relative to the cost of the project or the projects that promote economic development and promote commerce and trade. The bill provides for the choice to be made by each locality within the seven highway construction districts and for each highway construction district to determine the majority choice and submit it to the CTB. The bill cleared the House Transportation committee on Thursday and is headed to the House floor for a vote in the week ahead.

Heavy Weight Vehicle Operation:

Both SB 402, introduced by Senator Ryan McDougle (R-Hanover County) and HB 415 from Delegate Ed Scott (R-Madison County), passed their respective Chambers and will begin post-crossover activity shortly. As a reminder, the bill as amended would allow local authorities to issue permits authorizing the operation over the highway of truck cranes that exceed the maximum weight specified in Article 18 of Chapter 10 of Title 46.2 relating to weight limits for truck cranes. The amendment also specifies that no application for a permit shall be denied because of the applicant's refusal to remove such counterweights or other manufactured equipment.

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VUHCC: Complete Bill List

Composite view

Bills	Committee	Last action	Date
HB 2 - Stolle - Commonwealth Transportation Board; allocations within highway construction districts.	(H) Committee on Transportation	(H) Subcommittee recommends reporting with amendment(s) (7-Y 0-N)	01/30/14
HB 3 - Cline - Transportation funding; all provisions of 2013 Session omnibus bill to expire on July 1, 2014.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table	01/17/14
HB 27 - Cole - Vehicle weight limits; extensions apply also to interstates designated as state primary highways.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/27/14
HB 32 - Morrissey - Minimum wage; increases wage from its current federally mandated level.	(H) Committee on Commerce and Labor	(H) Referred to Committee on Commerce and Labor	12/02/13
HB 40 - Marshall, R.G. - Motor fuels tax rates; repeals provision that will increase tax, etc.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table	01/17/14
HB 41 - Marshall, R.G. - Northern Virginia Transportation Authority; selection of projects.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/23/14
HB 47 - Kory - Hybrid electric motor vehicles; repeals annual license tax, refunds.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table	01/17/14
HB 58 - Hodges - Stormwater management programs; clarifies appeals process for persons subject to permit requirement.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Incorporated by Agriculture, Chesapeake and Natural Resources (HB1173-Hodges)	01/29/14
HB 67 - Ramadan - Commonwealth Transportation Board; increases total membership.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	12/06/13
HB 68 - Marshall, D.W. - Transportation funding; date change on certain scheduled increases in sales and use tax revenue.	(H) Committee on Finance	(H) Assigned Finance sub: Subcommittee #3	01/16/14
HB 70 - Marshall, D.W. - Transportation Accountability, Joint Commission on; power and duties.	(H) Committee on Rules	(H) Referred to Committee on Rules	12/06/13
HB 72 - Pogge - Hybrid electric motor vehicles; eliminates annual license tax.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table	01/17/14
HB 84 - Marshall, R.G. - Northern Virginia Transportation Authority; change in membership.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/23/14
HB 87 - Cole - Transportation; Commonwealth priority of projects and funding.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/30/14
HB 123 - Scott - Petroleum transport vehicles; amber warning lights allowed when parked or delivering products.	(H) Committee on Transportation	(H) Printed as engrossed 14101546D-E	01/30/14
HB 145 - Hugo - Commonwealth	(H) Committee on	(H) Referred to Committee on	12/20/13

Transportation Board; removal of members by Governor.	Transportation	Transportation	
HB 146 - Hugo - Commonwealth Transportation Board; increases membership.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	12/20/13
HB 148 - Minchew - Motor vehicle sales and use tax; reduces sale price by value of any trade-in.	(H) Committee on Finance	(H) Subcommittee recommends continuing to 2015	01/29/14
HB 169 - Webert - Commonwealth Transportation Board; increases membership, terms of members.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	12/22/13
HB 209 - Marshall, D.W. - Subdivision plats; localities may mandate submission of preliminary plats for tentative approval.	(H) Committee on Counties, Cities and Towns	(H) Subcommittee recommends reporting (11-Y 0-N)	01/30/14
HB 213 - Marshall, D.W. - Salem Highway Construction District; additional transportation funding, report.	(H) Committee on Appropriations	(H) Subcommittee recommends laying on the table	01/20/14
HB 281 - Albo - Northern Virginia Transportation Authority; contracts.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/30/14
HB 289 - Albo - Virginia Public Procurement Act; cooperative procurement.	(H) Committee on General Laws	(H) Assigned GL sub: Subcommittee #2	01/10/14
HB 290 - Albo - Virginia Public Procurement Act; competitive negotiation, job order contracting.	(H) Committee on General Laws	(H) Subcommittee recommends laying on the table	01/23/14
HB 297 - Loupassi - Mechanics' liens; good faith performance by unlicensed contractors.	(H) Committee for Courts of Justice	(H) Subcommittee recommends passing by indefinitely	01/13/14
HB 345 - Taylor - Motor fuels tax; alternative fuels.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table	01/24/14
HB 346 - James - Public-Private Transportation Act of 1995; additional requirements for certain agreements.	(H) Committee on Transportation	(H) Subcommittee recommends striking from docket	01/30/14
HB 349 - James - Public-Private Transportation Act of 1995, etc.; comprehensive agreements.	(H) Committee on Transportation	(H) Subcommittee recommends striking from docket	01/30/14
HB 351 - James - Downtown Tunnel Construction Relief Grant Fund; established.	(H) Committee on Appropriations	(H) Subcommittee recommends laying on the table (7-Y 0-N)	01/20/14
HB 379 - Surovell - Commonwealth Transportation Board; changes composition of membership.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/03/14
HB 415 - Scott - Truck cranes; permits authorizing operation over highways for those that exceed maximum weight.	(H) Committee on Transportation (S) Committee on Transportation	(S) Referred to Committee on Transportation	01/27/14
HB 421 - Minchew - Virginia Public Procurement Act; competitive negotiation, term contracts for certain services.	(H) Committee on General Laws	(H) Subcommittee recommends laying on the table	01/23/14

HB 509 - Scott - Specialized construction equipment; Commissioner of Highways to issue permits for operation.	(H) Committee on Transportation	(H) Printed as engrossed 14103280D-E	01/30/14
HB 528 - Hodges - Drainage ditch maintenance, etc.; use of revenue-sharing highway funds.	(H) Committee on Transportation	(H) Stricken at request of Patron in Transportation	01/21/14
HB 549 - Filler-Corn - Virginia Public Procurement Act; transportation construction services.	(H) Committee on General Laws	(H) Subcommittee recommends laying on the table	01/23/14
HB 555 - Kory - Highway drains and culverts; localities to prohibit interfering with or impeding storm water runoff.	(H) Committee on Transportation	(H) Subcommittee recommends reporting with amendment(s) (6-Y 1-N)	01/29/14
HB 560 - Fariss - Department of Transportation; conveyance of certain right-of-way usage.	(H) Committee on Transportation	(H) Committee substitute printed 14104090D-H1	01/30/14
HB 626 - Watts - Highways systems; allocation of funds.	(H) Committee on Appropriations	(H) Assigned App. sub: Transportation	01/10/14
HB 635 - LaRock - Northern Virginia Transportation Authority; use of revenues.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/23/14
HB 653 - LaRock - Northern Virginia Transportation Authority; allocations.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/23/14
HB 658 - LaRock - Northern Virginia highway construction district; CTB allocations.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/30/14
HB 662 - Brink - Commercial driver's licenses, etc.; compliance with federal requirements.	(H) Committee on Transportation (S) Committee on Transportation	(S) Referred to Committee on Transportation	01/29/14
HB 769 - Hugo - Virginia Public Procurement Act; project labor agreements by certain state agencies.	(H) Committee on General Laws	(H) Subcommittee recommends laying on the table	01/23/14
HB 787 - LeMunyon - Virginia Freedom of Information Act; application to the State Corporation Commission, exemptions.	(H) Committee on Commerce and Labor	(H) Referred to Committee on Commerce and Labor	01/07/14
HB 793 - LeMunyon - Transportation planning; VDOT to recommend specific improvements for Planning District 8.	(H) Committee on Transportation	(H) Subcommittee recommends reporting with amendment(s) (7-Y 0-N)	01/30/14
HB 824 - Minchew - Northern Virginia Transportation Authority; bonding authority not effective until July 1, 2018.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/23/14
HB 870 - Yancey - New infrastructure; tax credit for certain investment.	(H) Committee on Finance	(H) Continued to 2015 in Finance	01/27/14
HB 884 - Yancey - Virginia Infrastructure Grant Fund; established.	(H) Committee on Counties, Cities and Towns	(H) Assigned CC & T sub: Subcommittee #2	01/15/14
HB 937 - Surovell - Virginia Freedom of Information Act; application to the State Corporation Commission, exemptions.	(H) Committee on Commerce and Labor	(H) Referred to Committee on Commerce and Labor	01/08/14
HB 946 - Hugo - Workers' compensation; fee schedule for medical care services, prompt payment of bills.	(H) Committee on Commerce and Labor	(H) Assigned C & L sub: Special Workers Comp	01/15/14

HB 948 - Filler-Corn - VA Public Procurement Act; competitive negotiation, limitation of certain term contracts, exception.	(H) Committee on General Laws	(H) Subcommittee recommends reporting (7-Y 0-N)	01/30/14
HB 1036 - Joannou - State Corporation Commission; availability of records.	(H) Committee on Commerce and Labor (S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	01/28/14
HB 1048 - Rust - Highway systems; funding.	(H) Committee on Transportation	(H) Printed as engrossed 14102655D-E	01/30/14
HB 1058 - Kilgore - Workers' compensation; payments for medical services, liability of employer.	(H) Committee on Commerce and Labor	(H) Assigned C & L sub: Special Workers Comp	01/15/14
HB 1095 - Peace - Innovation and Technology Transportation Fund; created.	(H) Committee on Appropriations	(H) Committee substitute printed 14104484D-H1	01/29/14
HB 1098 - Anderson - Smart transportation pilot zone; Northern Virginia or Hampton Roads district.	(H) Committee on Transportation	(H) Subcommittee recommends reporting with amendment(s) (7-Y 0-N)	01/30/14
HB 1100 - Yancey - CTB Six-Year Improvement Program; requirements.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/10/14
HB 1136 - Joannou - Public-Private Transportation Act of 1995; General Assembly approval of schedule of tolls and fees.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/23/14
HB 1183 - Comstock - Virginia Transportation Solutions Working Group; name change.	(H) Committee on Transportation	(H) Read second time and engrossed	01/30/14
HB 1194 - James - Small Business and Supplier Diversity, Department of; establishment of state purchasing program.	(H) Committee on General Laws	(H) Subcommittee recommends laying on the table	01/30/14
HB 1208 - Albo - Virginia Public Procurement Act; consideration of early payment discounts.	(H) Committee on General Laws	(H) Assigned GL sub: Subcommittee #2	01/24/14
HB 1223 - Yancey - Virginia Public Procurement Act; small, women, and minority-owned businesses.	(H) Committee on General Laws	(H) Assigned GL sub: Subcommittee #2	01/24/14
HB 1238 - Gilbert - Virginia Public Procurement Act; disclosure of cost estimates in solicitations prohibited.	(H) Committee on General Laws	(H) Assigned GL sub: Subcommittee #2	01/24/14
HB 1253 - Jones - Hampton Roads Transportation Accountability Commission; created.	(H) Committee on Transportation	(H) Subcommittee recommends reporting with amendment(s) (7-Y 0-N)	01/30/14
HB 1254 - Marshall, R.G. - Northern Virginia Transportation Authority; use of revenues.	(H) Committee on Appropriations	(H) Assigned App. sub: Transportation	01/23/14
HJ 42 - Villanueva - Transportation; Joint Legislative Audit and Review Commission to study equity of funding.	(H) Committee on Rules	(H) Subcommittee recommends continuing to 2015	01/30/14
HJ 122 - LeMunyon - Statewide transportation technology goals and plan of action; VDOT, et al., to create, report.	(H) Committee on Transportation	(H) Reported from Transportation (22-Y 0-N)	01/30/14

SB 26 - Alexander - Public comment and transparency; presentation of proposals to Committees of the General Assembly.	(S) Committee on Transportation	(S) Stricken at request of Patron in Transportation (14-Y 0-N)	01/22/14
SB 127 - Newman - Hybrid electric motor vehicles; repeals annual license tax.	(H) Committee on Finance (S) Committee on Finance	(H) Referred to Committee on Finance	01/23/14
SB 159 - Miller - Hybrid electric motor vehicles and alternative fuel vehicles; repeals annual license tax.	(S) Committee on Finance	(S) Incorporated by Finance (SB127-Newman) (15-Y 0-N)	01/15/14
SB 165 - Locke - Public-Private Transportation Act of 1995; additional requirements for certain agreements.	(S) Committee on Transportation	(S) Stricken at request of Patron in Transportation (10-Y 0-N)	01/22/14
SB 174 - Black - Virginia Public Procurement Act; competitive negotiation, term contracts for certain services.	(S) Committee on General Laws and Technology	(S) Passed by indefinitely in General Laws and Technology with letter (10-Y 0-N)	01/13/14
SB 221 - Petersen - Hybrid electric motor vehicles; eliminates annual license tax.	(S) Committee on Finance	(S) Incorporated by Finance (SB127-Newman) (15-Y 0-N)	01/15/14
SB 292 - Lucas - Downtown Tunnel Construction Relief Grant Fund; established.	(S) Committee on Finance	(S) Passed by indefinitely in Finance (12-Y 2-N)	01/28/14
SB 402 - McDougle - Truck cranes; permits authorizing operation over highways for those that exceed maximum weight.	(H) Committee on Transportation (S) Committee on Transportation	(H) Referred to Committee on Transportation	01/24/14
SB 461 - Vogel - VA Public Procurement Act; competitive negotiation, limitation of certain term contracts, exception.	(H) Committee on General Laws (S) Committee on General Laws and Technology	(H) Referred to Committee on General Laws	01/31/14
SB 505 - Wagner - Natural gas; incentives for expanded use as transportation fuel, report.	(S) Committee on Finance	(S) Rereferred to Finance	01/22/14
SB 506 - Wagner - Hybrid electric motor vehicles; eliminates annual license tax.	(S) Committee on Finance	(S) Incorporated by Finance (SB127-Newman) (15-Y 0-N)	01/15/14
SB 511 - Wagner - Commonwealth Transportation Board; composition.	(S) Committee on Transportation	(S) Passed by indefinitely in Transportation (7-Y 5-N 1-A)	01/15/14
SB 513 - Wagner - Hampton Roads Transportation Authority; created.	(S) Committee on Transportation	(S) Read third time and passed Senate (40-Y 0-N)	01/29/14
SB 518 - Wagner - Highway systems; funding.	(H) Committee on Transportation (S) Committee on Transportation	(H) Referred to Committee on Transportation	01/24/14
SB 565 - Cosgrove - Commercial driver's licenses, etc.; compliance with federal requirements.	(S) Committee on Transportation	(S) Read third time and passed Senate (40-Y 0-N)	01/29/14
SB 632 - Lucas - Small Business and Supplier Diversity, Department of; establishment of state purchasing program.	(S) Committee on General Laws and Technology	(S) Passed by indefinitely in General Laws and Technology with letter (13-Y 0-N)	01/27/14
SB 645 - McEachin - Virginia Public Procurement Act; transportation	(S) Committee on General Laws and Technology	(S) Passed by indefinitely in General Laws and Technology	01/27/14

construction services.		with letter (13-Y 0-N)	
SB 664 - Petersen - Agreements as to compensation; Commissioner of Highways' decisions to be reasonable, not arbitrary.	(S) Committee on Transportation	(S) Continued to 2015 in Transportation (15-Y 0-N)	01/22/14
SJ 65 - Obenshain - Constitutional amendment; Transportation Funds.	(S) Committee on Privileges and Elections	(S) Continued to 2015 in Privileges and Elections (14-Y 0-N)	01/14/14
SJ 72 - Wagner - Transportation; Joint Legislative Audit and Review Commission to study equity of funding.	(S) Committee on Rules	(S) Continued to 2015 in Rules	01/17/14