

# Legislative Report- 2/23/2014

## This Week in the General Assembly

The House and Senate passed competing budget plans last week. Each chamber's budget feature differences in a variety of areas, but most observers believe those discrepancies can be addressed with little difficulty when the members of the budget conference committee meet to reconcile the two chamber's budget documents (the transportation budget items are not likely to be a major source of consternation during the budget negotiations). However, the differences over how the Senate and House address the Medicaid issue in their respective budgets is a stumbling block that will lead to a protracted standoff that is unlikely to be solved before the scheduled adjournment of the regular session on March 8th.

The House steadfastly refuses to consider the expansion of Medicaid in any way, shape, or form, while the Senate has included in their budget a private option that would provide premium assistance to a portion of Virginia's uninsured population that would allow them to purchase private health insurance. The Senate proposal, known as Marketplace Virginia, is authored by Senator John Watkins (R-Powhatan County). Senator Watkins, along with Senate Finance Committee Co-Chairman Walter Stosch (R-Henrico County) and Senator Hanger (R-Augusta County) joined the chamber's 20 Democrats in supporting the Medicaid private option proposal. The plan and the entire Senate budget passed by a margin of 23-17.

The House Republican Leadership engineered a vote on the Marketplace Virginia proposal to illustrate that the House Republican Caucus is united against expansion (and simultaneously lock rank and file Republicans in on the issue). Appropriations Chairman Chris Jones offered an amendment on the floor that included the Senate's Marketplace Virginia language. The amendment failed 32-67, with all but one House Republican - Delegate Tom Rust (R-Fairfax County) - voting against the language, and all but one House Democrat - Delegate Johnny Joannou (D-Portsmouth) - voting for the measure. While almost all of the House Republican Caucus members supported the House leadership on the Medicaid issue last week, that dynamic is subject to change if the budget impasse stretches into June.

### Legislation of Interest

Some legislation of interest to VUHCC members that remains active includes the following:

#### *The House Republican Caucus Transportation Package:*

Most of the House Republican Caucus's transportation package has yet to be considered by the Senate Transportation Committee (some observers have speculated that the delay associated with the consideration of these bills is not coincidental, and that these bills are being held in an attempt to gain leverage over the House on other legislative matters). The bills that have yet to be considered by the Senate Transportation Committee include:

- HB 2 patroned by Delegate Chris Stolle (R-Virginia Beach), which provides 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.

- HB 1098 sponsored by Delegate Rich Anderson (R-Prince William County) requires the Secretary of Transportation and VDOT to establish a smart transportation pilot zone to test state-of-the-art smart road technology.
- HB 1183 sponsored by Delegate Barbara Comstock (R-Fairfax County) renames the Joint Commission on Transportation to the Virginia Transportation Solutions Working Group, and authorizes the newly named entity to advise the CTB on matters pertaining to transportation policy, innovation, technologies, and traffic congestion relief strategies.

*Heavy Weight Vehicle Operation:*

Delegate Ed Scott's (R-Madison County) HB 415 heads to the Governor for consideration after passing the Senate unanimously. The bill allows local authorities to issue permits authorizing the operation over the highway of truck cranes that exceed the maximum weight specified in the Code of Virginia. The measure mandates that no application for a permit can be denied because of the applicant's refusal to remove such counterweights or other manufactured equipment. Senator Ryan McDougle (R-Hanover County) has the companion to this measure (SB 402), and that bill will be voted off the House floor and will head to the Governor for consideration early this week.

*Permits for Operation of Specialized Construction Equipment:*

Delegate Scott is also the sponsor of HB 509, which authorizes the VDOT Commissioner to issue permits for the operation of specialized construction equipment on and across structures maintained by the Department. The measure passed both the House and Senate unanimously, and will be considered by the Governor before the conclusion of the Regular Session of the General Assembly.

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## Complete Bill List

Composite view			
Bills	Committee	Last action	Date
<b>HB 2</b> - Stolle - Commonwealth Transportation Board; statewide prioritization process for project selection.	(H) Committee on Transportation	(S) Referred to Committee on Transportation	02/10/14
	(S) Committee on Transportation		
<b>HB 3</b> - Cline - Transportation funding; all provisions of 2013 Session omnibus bill to expire on July 1, 2014.	(H) Committee on Finance	(H) Left in Finance	02/12/14
<b>HB 27</b> - Cole - Vehicle weight limits; extensions apply also to interstates designated as state primary highways.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 32</b> - Morrissey - Minimum wage; increases wage from its current federally mandated level.	(H) Committee on Commerce and Labor	(H) Tabled in Commerce and Labor	02/04/14
<b>HB 40</b> - Marshall, R.G. - Motor fuels tax rates; repeals provision that will increase tax, etc.	(H) Committee on Finance	(H) Left in Finance	02/12/14
<b>HB 41</b> - Marshall, R.G. - Northern Virginia Transportation Authority; selection of projects.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 47</b> - Kory - Hybrid electric motor vehicles; repeals annual license tax, refunds.	(H) Committee on Finance	(H) Left in Finance	02/12/14
<b>HB 58</b> - 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
<b>HB 67</b> - Ramadan - Commonwealth Transportation Board; increases total membership.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 68</b> - Marshall, D.W. - Transportation funding; date change on certain scheduled increases in sales and use tax revenue.	(H) Committee on Finance	(H) Left in Finance	02/12/14
<b>HB 70</b> - Marshall, D.W. - Transportation Accountability, Joint Commission on; power and duties.	(H) Committee on Rules	(H) Tabled in Rules	01/31/14
<b>HB 72</b> - Pogge - Hybrid electric motor vehicles; eliminates annual license tax.	(H) Committee on Finance	(H) Left in Finance	02/12/14
<b>HB 84</b> - Marshall, R.G. - Northern Virginia Transportation Authority; change in membership.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 87</b> - Cole - Transportation; Commonwealth priority of projects and funding.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 123</b> - Scott - Petroleum transport vehicles; amber warning lights allowed when parked or delivering products.	(H) Committee on Transportation	(H) Bill text as passed House and Senate (HB123ER)	02/19/14
	(S) Committee on Transportation		

<b>HB 145</b> - Hugo - Commonwealth Transportation Board; removal of members by Governor.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 146</b> - Hugo - Commonwealth Transportation Board; increases membership.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 148</b> - Minchew - Motor vehicle sales and use tax; reduces sale price by value of any trade-in.	(H) Committee on Finance	(H) Continued to 2015 in Finance	02/03/14
<b>HB 169</b> - Webert - Commonwealth Transportation Board; increases membership, terms of members.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 209</b> - Marshall, D.W. - Subdivision plats; localities may mandate submission of preliminary plats for tentative approval.	(H) Committee on Counties, Cities and Towns (S) Committee on Local Government	(S) Referred to Committee on Local Government	02/06/14
<b>HB 213</b> - Marshall, D.W. - Salem Highway Construction District; additional transportation funding, report.	(H) Committee on Appropriations	(H) Left in Appropriations	02/12/14
<b>HB 281</b> - Albo - Northern Virginia Transportation Authority; contracts.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 289</b> - Albo - Virginia Public Procurement Act; cooperative procurement.	(H) Committee on General Laws	(H) Continued to 2015 in General Laws	02/04/14
<b>HB 290</b> - Albo - Virginia Public Procurement Act; competitive negotiation, job order contracting.	(H) Committee on General Laws	(H) Left in General Laws	02/12/14
<b>HB 297</b> - Loupassi - Mechanics' liens; good faith performance by unlicensed contractors.	(H) Committee for Courts of Justice	(H) Left in Courts of Justice	02/12/14
<b>HB 345</b> - Taylor - Motor fuels tax; alternative fuels.	(H) Committee on Finance	(H) Left in Finance	02/12/14
<b>HB 346</b> - James - Public-Private Transportation Act of 1995; additional requirements for certain agreements.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 349</b> - James - Public-Private Transportation Act of 1995, etc.; comprehensive agreements.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 351</b> - James - Downtown Tunnel Construction Relief Grant Fund; established.	(H) Committee on Appropriations	(H) Left in Appropriations	02/12/14
<b>HB 379</b> - Surovell - Commonwealth Transportation Board; changes composition of membership.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 415</b> - Scott - Truck cranes; permits authorizing operation over highways for those that exceed maximum weight.	(H) Committee on Transportation (S) Committee on Transportation	(H) Bill text as passed House and Senate (HB415ER)	02/19/14
<b>HB 421</b> - Minchew - Virginia Public Procurement Act; competitive negotiation, term contracts for certain services.	(H) Committee on General Laws	(H) Left in General Laws	02/12/14

<b>HB 509</b> - Scott - Specialized construction equipment; Commissioner of Highways may issue permits for operation.	(H) Committee on Transportation (S) Committee on Transportation	(H) Bill text as passed House and Senate (HB509ER)	02/19/14
<b>HB 528</b> - 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
<b>HB 549</b> - Filler-Corn - Virginia Public Procurement Act; transportation construction services.	(H) Committee on General Laws	(H) Left in General Laws	02/12/14
<b>HB 555</b> - Kory - Highway drains and culverts; localities to prohibit interfering with or impeding storm water runoff.	(H) Committee on Transportation	(H) VOTE: DEFEATED (37-Y 61-N)	02/11/14
<b>HB 560</b> - Fariss - Land use permits; issued by VDOT to a company providing utility service solely for agricultural use.	(H) Committee on Transportation (S) Committee on Transportation	(S) Reported from Transportation with amendments (11-Y 0-N)	02/19/14
<b>HB 626</b> - Watts - Highway systems; allocation of funds.	(H) Committee on Appropriations	(H) Left in Appropriations	02/12/14
<b>HB 635</b> - LaRock - Northern Virginia Transportation Authority; use of revenues.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 653</b> - LaRock - Northern Virginia Transportation Authority; allocations.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 658</b> - LaRock - Northern Virginia highway construction district; CTB allocations.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 662</b> - Brink - Commercial driver's licenses, etc.; compliance with federal requirements.	(H) Committee on Transportation (S) Committee on Transportation	(H) Bill text as passed House and Senate (HB662ER)	02/19/14
<b>HB 769</b> - Hugo - Virginia Public Procurement Act; project labor agreements by certain state agencies.	(H) Committee on General Laws	(H) Left in General Laws	02/12/14
<b>HB 787</b> - LeMunyon - Virginia Freedom of Information Act; application to the State Corporation Commission, exemptions.	(H) Committee on Commerce and Labor	(H) Tabled in Commerce and Labor	02/06/14
<b>HB 793</b> - LeMunyon - Transportation planning; VDOT to estimate costs necessary to mitigate or ameliorate congestion.	(H) Committee on Transportation (S) Committee on Local Government	(S) Constitutional reading dispensed (40-Y 0-N)	02/20/14
<b>HB 824</b> - Minchew - Northern Virginia Transportation Authority; bonding authority not effective until July 1, 2018.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 870</b> - Yancey - New infrastructure; tax credit for certain investment.	(H) Committee on Finance	(H) Continued to 2015 in Finance	01/27/14
<b>HB 884</b> - Yancey - Virginia Infrastructure Grant Fund; established.	(H) Committee on Counties, Cities and Towns	(H) Left in Counties, Cities and Towns	02/12/14
<b>HB 937</b> - Surovell - Virginia Freedom of Information Act; application to the State Corporation Commission, exemptions.	(H) Committee on Commerce and Labor	(H) Tabled in Commerce and Labor	02/06/14
	(H) Committee on		

<b>HB 946</b> - Hugo - Workers' compensation; fee schedule for medical care services, prompt payment of bills.	Commerce and Labor	(H) Continued to 2015 in Commerce and Labor	02/06/14
<b>HB 948</b> - Filler-Corn - VA Public Procurement Act; competitive negotiation, limitation of certain term contracts, exception.	(H) Committee on General Laws (S) Committee on General Laws and Technology	(S) Passed Senate (38-Y 2-N)	02/20/14
<b>HB 1036</b> - 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
<b>HB 1048</b> - Rust - Highway systems; funding.	(H) Committee on Transportation (S) Committee on Transportation	(H) Bill text as passed House and Senate (HB1048ER)	02/19/14
<b>HB 1058</b> - Kilgore - Workers' compensation; payments for medical services, liability of employer.	(H) Committee on Commerce and Labor	(H) Left in Commerce and Labor	02/12/14
<b>HB 1095</b> - Peace - Innovation and Technology Transportation Fund; created, report.	(H) Committee on Appropriations (S) Committee on Finance	(S) Constitutional reading dispensed (40-Y 0-N)	02/20/14
<b>HB 1098</b> - Anderson - Smart transportation pilot zone; STO and VDOT shall establish zone to test certain road technology.	(H) Committee on Transportation (S) Committee on Transportation	(S) Referred to Committee on Transportation	02/10/14
<b>HB 1100</b> - Yancey - CTB Six-Year Improvement Program; requirements.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 1136</b> - Joannou - Public-Private Transportation Act of 1995; General Assembly approval of schedule of tolls and fees.	(H) Committee on Transportation	(H) Left in Transportation	02/12/14
<b>HB 1183</b> - Comstock - Virginia Transportation Solutions Working Group; name change.	(H) Committee on Transportation (S) Committee on Transportation	(S) Referred to Committee on Transportation	02/03/14
<b>HB 1194</b> - James - Small Business and Supplier Diversity, Department of; establishment of state purchasing program.	(H) Committee on General Laws	(H) Left in General Laws	02/12/14
<b>HB 1208</b> - Albo - Virginia Public Procurement Act; consideration of early payment discounts.	(H) Committee on General Laws	(H) Continued to 2015 in General Laws	02/04/14
<b>HB 1223</b> - Yancey - Virginia Public Procurement Act; small, women, and minority-owned businesses.	(H) Committee on General Laws	(H) Continued to 2015 in General Laws	02/04/14
<b>HB 1238</b> - Gilbert - Virginia Public Procurement Act; disclosure of cost estimates in solicitations prohibited.	(H) Committee on General Laws	(H) Continued to 2015 in General Laws	02/04/14
<b>HB 1253</b> - Jones - Hampton Roads Transportation Accountability Commission; created.	(H) Committee on Transportation (S) Committee on	(S) Referred to Committee on Transportation	02/10/14

	Transportation		
<b>HB 1254</b> - Marshall, R.G. - Northern Virginia Transportation Authority; use of revenues.	(H) Committee on Appropriations	(H) Left in Appropriations	02/12/14
<b>HJ 42</b> - Villanueva - Transportation; Joint Legislative Audit and Review Commission to study equity of funding.	(H) Committee on Rules	(H) Continued to 2015 in Rules	01/31/14
<b>HJ 122</b> - LeMunyon - Statewide transportation technology goals and plan of action; VDOT, et al., to create, report.	(H) Committee on Transportation	(S) Referred to Committee on Rules	02/04/14
	(S) Committee on Rules		
<b>SB 26</b> - 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
<b>SB 127</b> - Newman - Hybrid electric motor vehicles; repeals annual license tax.	(H) Committee on Finance	(S) Bill text as passed Senate and House (SB127ER)	02/21/14
	(S) Committee on Finance		
<b>SB 159</b> - 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
<b>SB 165</b> - 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
<b>SB 174</b> - 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
<b>SB 221</b> - 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
<b>SB 292</b> - 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
<b>SB 402</b> - McDougle - Truck cranes; permits authorizing operation over highways for those that exceed maximum weight.	(H) Committee on Transportation	(H) Passed by for the day	02/20/14
	(S) Committee on Transportation		
<b>SB 461</b> - Vogel - VA Public Procurement Act; competitive negotiation, limitation of certain term contracts, exception.	(H) Committee on General Laws	(H) Referred to Committee on General Laws	01/31/14
	(S) Committee on General Laws and Technology		
<b>SB 505</b> - Wagner - Natural gas; incentives for expanded use as transportation fuel, report.	(S) Committee on Finance	(S) Continued to 2015 in Finance (17-Y 0-N)	02/04/14
<b>SB 506</b> - 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
<b>SB 511</b> - Wagner - Commonwealth Transportation Board; composition.	(S) Committee on Transportation	(S) Passed by indefinitely in Transportation (7-Y 5-N 1-A)	01/15/14
<b>SB 513</b> - Wagner - Hampton Roads Transportation Authority; created.	(H) Committee on Transportation	(H) Subcommittee recommends reporting with amendment(s) (7-Y 0-N)	02/20/14
	(S) Committee on Transportation		

<b>SB 518</b> - Wagner - Highway systems; funding.	(H) Committee on Transportation	(H) Subcommittee recommends reporting with amendment(s) (7-Y 0-N)	02/20/14
	(S) Committee on Transportation		
<b>SB 565</b> - Cosgrove - Commercial driver's licenses, etc.; compliance with federal requirements.	(H) Committee on Transportation	(H) Passed by for the day	02/20/14
	(S) Committee on Transportation		
<b>SB 632</b> - 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
<b>SB 645</b> - McEachin - Virginia Public Procurement Act; transportation construction services.	(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
<b>SB 664</b> - 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
<b>SJ 65</b> - 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
<b>SJ 72</b> - 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