

Governor's Amendments and Vetoes

2010

2010 GENERAL ASSEMBLY SESSION

Governor's Amendments

HB 10. Requirement to purchase health insurance. The enrolled bill provides that residents of the Commonwealth are not required to obtain or maintain individual insurance coverage. The Governor's amendments (i) permit such coverage to be required by a court or the Department of Social Services where an individual is named a party in a judicial or administrative proceeding, (ii) exclude situations where students are required by an institution of higher education to obtain and maintain health insurance as a condition of enrollment, and (iii) state that the measure does not impair the rights of persons to privately contract for health insurance for family members or former family members. The Governor's amendments conform the bill to Senate Bills 283, 311, and 417.

HB 42. Transportation programs; JLARC to administer a performance audit. The Governor's amendments remove the requirement that JLARC engage a private

management consulting firm to perform the audit of transportation programs, and are identical to the Governor's recommended amendments to SB 201.

HB 46. Virginia Defective Drywall Correction and Restoration Assistance Fund. The Governor's amendment in the nature of a substitute (i) clarifies that innocent land owners as defined in the act are eligible for the loans and grants to finance or refinance the cost of defective drywall restoration or remediation projects, (ii) removes the requirement that a grant recipient provide matching funds as a condition of receiving the grant, and (iii) makes defective drywall restoration or remediation projects eligible for financing by the Virginia Resources Authority. The substitute also contains several technical amendments.

HB 51. Comprehensive plan amendments. Technical amendments.

HB 128. Fishing license. The Governor's amendment expands the free fishing license for disabled active military personnel who are

The Governor recommended amendments to 123 bills, including the Budget Bills, passed by the 2010 General Assembly. The Division of Legislative Services' staff prepared the following summaries to assist General Assembly members during their deliberations at the Reconvened Session on April 21st. Amendments are arranged in numerical order by bill number, highlighting the major impact of the Governor's recommendations. Not included are 21 bills returned with amendments and acted upon by the members during the 2010 Regular Session. We hope you will find the information useful.

— E. M. Miller, Director DLS

VIRGINIA DIVISION OF LEGISLATIVE SERVICES

receiving treatment from any hospital located in Virginia, an adjoining state, or the District of Columbia. The bill as passed was limited to disabled active military receiving treatment in veterans or military hospitals.

HB 201. Funeral services; handling of human remains. Technical amendment.

HB 233. Affordable housing units; real property tax assessments. The Governor's amendments remove the restriction that the method of assessing affordable housing units apply only to property that contains more than four residential units and are identical to the Governor's recommended amendments to SB 273.

HB 248. Psychiatric treatment of minors. Technical amendments. This bill is identical to SB 65.

HB 281. Animal cruelty; penalty. The Governor's amendments prohibit pounds from euthanizing or prohibiting the adoption of dogs based solely on breed.

HB 302. Retail sales and use tax; exemption for purchase of certain computer equipment and enabling software. The Governor's amendment alters the exemption condition that a business create at least 50 new jobs by reducing it to 25 new jobs if the business is located in a locality with a high unemployment rate, or in an enterprise zone. The amendment aligns the bill with a similar provision in HB 1298, and is identical to the Governor's recommended amendment to SB 130.

HB 376. Service by publication. Technical amendment.

HB 485. Operational and programmatic performance review of state agencies. The enrolled bill provides for a performance review of certain state agencies with the goal of effecting savings in expenditures and reducing

duplication of effort. The Governor's amendment provides that any savings from recommendations of the review that are accepted be used first to reimburse the general fund or the applicable program or agency for the cost of the review.

HB 513. Administrative impoundment of motor vehicles. Technical amendment.

HB 523. Income tax deduction for investments in certain technology businesses. The enrolled bill grants an income tax deduction for any income taxed as a long-term capital gain or investment services partnership interest income that is related to an investment in a technology business with a principal office or facility in the Commonwealth and less than \$3 million in annual revenues in the fiscal year prior to the investment. The enrolled bill requires the investment to be made between July 1, 2010, and June 30, 2013. The Governor's amendments would require the investment to be made between April 1, 2010, and June 30, 2013.

HB 547. Nationwide Mortgage Licensing System and Registry. The enrolled bill requires all mortgage lenders and mortgage brokers whose employees are required to be licensed as mortgage loan originators to register with the Nationwide Mortgage Licensing System and Registry. The Governor's amendment in the nature of a substitute extends the maximum duration of a provisional mortgage loan originator license from six months to 12 months.

HB 553. Regulation of signage in highway rights-of-way. The Governor's amendments decrease from 10 to five the number of business days a sign owner has the right to reclaim a lawfully placed sign that has been confiscated. This bill is identical to SB 64.

HB 582. Center for Rural Virginia. The Governor's amendments (i) add the Deputy Secretary for Rural Economic Development to a rural enterprise opportunity task force to develop

strategies that expand and promote economic opportunities of the agriculture industry and (ii) require the task force to provide its written recommendations not only to the chairmen of the legislative committees with oversight responsibilities but also to the Secretaries of Commerce and Trade and Agriculture and Forestry, and the Lieutenant Governor. This bill is identical to SB 347.

HB 621. Rabies regulation and control; penalty. Technical amendment.

HB 651. Use of commissioners in eminent domain cases. The Governor's amendment fixes juror or commissioner compensation at \$30, the same amount paid to jurors in civil or criminal cases, to conform this bill to HB 81 (which has been signed into law by the Governor). There is also a technical amendment.

HB 655. General Assembly Conflicts of Interests Act; House and Senate Ethics Advisory Panels. The first three Governor's amendments prohibit lobbyists from serving as a member of either the Senate or House Ethics Advisory Panels.

As passed by the General Assembly, HB 655 provides that any complaint against a member of the General Assembly alleging a violation of the Conflicts of Interests Act filed with the Director of the Division of Legislative Services 60 or fewer days before a primary or general election shall be held until the completion of the primary or general election before the complaint is forwarded to the Panel. The fourth Governor's amendment modifies this provision to prohibit any complaint against a member of the General Assembly alleging a violation of the Conflicts of Interests Act from being filed within such period and prohibits the Panel from accepting or acting on any complaint filed within such period.

The fifth Governor's amendment provides that the Panel must discontinue its investigation or proceedings if a member ceases to be a member of the General Assembly during the course of the investigation or proceedings, and the Panel shall refer the matter to the Attorney General to take any action he deems appropriate. However, the bill as passed by the General Assembly adds a new subsection D to § 30-114, which provides that the Panel must complete its investigation notwithstanding the resignation of the member under investigation during the course of the Panel's proceedings. The new subsection D in § 30-114 is unaffected by the Governor's amendment, thus the Panel still has the duty to complete its investigation of a member notwithstanding his resignation. Consequently, the Governor's amendment, which imposes a contrary duty that the Panel discontinue its investigation whenever a member ceases to be a member, creates an inherent conflict within the Act.

The final Governor's amendment strikes language added in the enrolled bill that expressly provides that the Panel may hire "outside counsel to assist the Panel and to conduct examinations of witnesses." The Panel would retain its current authority to hire staff to assist it. The term "staff" is undefined in the Conflicts of Interests Act.

HB 676. Aerospace Advisory Council. Technical amendment.

HB 688. Transportation district trains. Technical amendment.

HB 725. Polysomnographic technologist. Technical amendment.

HB 746. Toll payments; penalty. The Governor's amendment provides that information collected by a photo-monitoring system or automatic vehicle identification system shall be protected in a database with security

comparable to that of the Department of Motor Vehicles' system.

HB 770. Arrest without warrant; DUI arrests. The Governor's amendment in the nature of a substitute (i) provides that the issuance of a summons for DUI to a hospitalized person is deemed an arrest for purposes of other DUI provisions, i.e. implied consent; (ii) provides that persons who are prohibited from operating a watercraft due to a prior offense are subject to the provisions of the bill; and (iii) removes two Code sections that were in the enrolled bill.

HB 885. Possession of concealed weapons in vehicles. The enrolled bill and an identical bill, SB 408 (which has been signed into law by the Governor), create a new exemption to the general prohibition against carrying concealed weapons by allowing a person who may lawfully possess a firearm to carry a handgun in a private motor vehicle or vessel if the handgun is locked in a container or compartment. The Governor's recommendation makes such exemption applicable to any such person if the handgun is secured in a container or compartment of a private motor vehicle or vessel.

HB 895. Charter; Town of Windsor. The Governor's amendments change the provisions related to the filling of vacancies on town council to conform to general law.

HB 912. Sex offender registry; residence. Technical amendment.

HB 913. Victims of crime may visit perpetrator in prison facility. The Governor's amendment in the nature of a substitute removes an exception to the victim-inmate visitation policy to be established by the Department of Corrections. The recommendation removes an exception for inmates sentenced to death but retains an exception for juvenile victims. The Governor's amendments also require any Crime Victim and Witness Assistance Program to adhere to the

policy promulgated by the Department of Corrections for victim-inmate visitations.

HB 927. Immediate sanction probation. The Governor's amendments provide for the creation of "up to two" immediate sanction programs in the state instead of the one program originally provided for in the bill. There is also a technical amendment.

HB 928. Virginia Universities Clean Energy Development and Economic Stimulus Foundation. Technical amendments.

HB 967. Assisted living facility and group home; no more than eight aged, infirm, etc., persons shall reside. The enrolled bill replaced the terms "aged" and "infirm" with the word "elderly" in one line but kept the terms in another line. The Governor's amendment retains the words "aged" and "infirm" in the Code. If the Governor's amendments to both HB 967 and SB 338 are accepted, the bills will be identical.

HB 994. Charter; Town of Christiansburg. Technical amendment.

HB 999. Property classifications for renewable energy manufacturing equipment, facilities, and devices. Technical amendments that conform the bill to SB 656, which has been signed by the Governor.

HB 1010. Illegal gambling; definitions; free spin devices. The amendments provide that the prohibition against the use of free spin devices is declarative of existing law. The amendments also add a provision stating that lawful contests are not prohibited whenever their primary purpose is not illegal gambling.

HB 1022. Renewable energy portfolio standard program. The enrolled bill provides that an investor-owned electric utility will receive triple credit toward meeting the goals of the renewable energy portfolio standard program for energy derived from offshore wind. The Governor's

amendment provides that an electric utility that participates in the renewable energy portfolio standard program may sell renewable energy certificates produced at its own generation facilities located in the Commonwealth or, if located outside the Commonwealth, owned by the utility and in operation as of January 1, 2010, or renewable energy certificates acquired as part of a purchase power agreement, to another entity and purchase lower cost renewable energy certificates. The net difference in price between the renewable energy certificates is required to be credited to customers.

HB 1033. Human infant; independent and separate existence. One amendment adds an emergency clause and the other amendments are technical and remove the omissions in the second enactment that sets forth the corrections fiscal impact. This bill is identical to SB 602.

HB 1039. Notification of breach of medical information. The Governor's amendments require that in addition to the Attorney General, the Commissioner of Health will be notified in the event of a breach of medical information at a state agency. They also clarify that the subject of any affected medical records will also be notified.

HB 1100. Stormwater management facilities. Technical amendment.

HB 1102. Property Owners' Association Act. The amendment adds a reenactment clause.

HB 1133. Adoption; explanation of legal effects. Technical amendments.

HB 1161. Jailer-issued identification for prisoners. Technical amendments.

HB 1185. Coal mine safety. The Governor's amendment requires that any substances included in the pre-employment substance abuse screening other than those 10 substances identified in the statute shall be set out in

regulation adopted by the Board of Coal Mining Examiners. This bill is identical to SB 561.

HB 1198. Sex offenders; registration requirements. The Governor's amendments provide that a court shall determine, prior to entering an order of conviction in a criminal trial, whether, for purposes of inclusion of the perpetrator in the sex offender registry, the victim of a crime was a minor, physically helpless or mentally incapacitated, only by a preponderance of the evidence presented and not upon agreement of the parties. The amendments also add the requirement that the court shall determine the age of the victim if it determines the victim was a minor.

HB 1217. Firearm safety education program. The Governor's amendment removes an amendment added by the Senate. The enrolled bill required the Department of Education to develop a gun safety program for elementary school students based on either the NRA's Eddie Eagle Program, or the program of the National Crime Prevention Center. The Governor's amendment requires that it be based on the NRA's Eddie Eagle program.

HB 1226. Wars recognized on Veterans Day and in local monuments and memorials. The amendments change the reference from Global War on Terror to Global War on Terrorism.

HB 1233. State active military duty. The Governor's amendments provide that a member of the Virginia National Guard called to state active duty be given the option to continue, at the member's own expense, life insurance and long-term care insurance in addition to health insurance as provided for in the enrolled bill. This bill is identical to SB 613.

HB 1255. Bail bondsman to receive criminal history information. The enrolled bill provides that if a judicial officer sets a secured bond and the person engages the services of a licensed

bail bondsman, the magistrate executing recognizance for the accused shall, upon request of the bondsman, provide the bondsman with a copy of the person's Virginia criminal history record, if readily available, to be used by the bondsman only to determine appropriate conditions to impose upon the accused upon his release. The Governor's recommendation provides that the copy of such person's Virginia criminal history record is to be used by the bondsman only to determine appropriate reporting requirements to impose upon the accused upon his release.

HB 1256 Concealed weapon; certain law-enforcement officers who have resigned eligible to carry. The enrolled bill allows law-enforcement officers who are eligible to retire, who have at least 20 years of service, and who resign in good standing to take another position covered by the Virginia Retirement System to carry a concealed handgun without a permit. The Governor's amendments would allow such officers to carry without a permit if they take another position covered by any retirement system established under Title 51.1, and not just the Virginia Retirement System.

HB 1257 Service handguns; certain law-enforcement officers eligible for retirement may purchase. Technical amendments.

HB 1295. Dulles Access Highway. In addition to a technical amendment, the Governor's amendment provides that information collected by a photo-monitoring system or automatic vehicle identification system shall be protected in a database with security comparable to that of the Department of Motor Vehicles' system. This bill is identical to SB 667.

HB 1298. Sales and use tax exemption; certain computer equipment used in large data centers. The enrolled bill lowers the job creation requirement from 50 jobs to 25 jobs to receive

the sales tax exemption for certain computer equipment purchased for lease or use in a data center if the data center is located in a locality with an unemployment rate at least "150 percent higher" than the average statewide unemployment rate or located in an enterprise zone. The Governor's amendment would change the condition of at least "150 percent higher" than the average statewide unemployment rate to at least "150 percent of" the average statewide unemployment rate.

HB 1300. Air Pollution Control Board. The Governor's amendment returns the bill to its introduced form and prohibits the Air Pollution Control Board from requiring that electric generating facilities located in a nonattainment area meet NO_x and SO₂ compliance obligations without the purchase of allowances from in-state or out-of-state facilities. The version that passed the House and Senate allowed the Air Pollution Control Board to continue to restrict the use of allowances in any nonattainment area designated as such prior to January 1, 2010. See SB 128, which with the Governor's amendment will be identical.

HB 1322. Waste kitchen grease; transportation; fees; penalty. The Governor's amendment adds that it shall be a Class 3 misdemeanor for any person to fail to register with the Virginia Department of Agriculture and Consumer Services if required to do so under the new law.

HB 1372. Virginia Economic Development Partnership. Technical amendment.

HB 1378. Department of Medical Assistance Services (DMAS) pilot program for the use of biometric data. The enrolled bill requires DMAS to develop a plan that, among other things, would use biometric data to reduce waste, fraud, and abuse in the state's Medicaid program. DMAS would be required to report to the General Assembly on the design and development of the plan for the pilot program no later than

September 1, 2010. The Governor's amendment changes the reporting date to the General Assembly to no later than 90 days after federal funding for the plan has been received.

HB 1389. College Partnership Laboratory Schools. Technical amendments. This bill is identical to SB 736.

SB 18. Special license plates. The Governor's amendments clarify that proceeds for the TRUST WOMEN/RESPECT CHOICE special license plates will not be used to provide abortion services. The amendments also provide for the issuance of special license plates bearing the legend FRIENDS OF COAL, the proceeds of which will go to the Department of Mines, Minerals and Energy to support coal worker safety programs in Virginia.

SB 64. Regulation of signage in highway rights-of-way. The Governor's amendments decrease from 10 to five the number of business days a sign owner has the right to reclaim a lawfully placed sign that has been confiscated. This bill is identical to HB 553.

SB 65. Psychiatric treatment of minors. Technical amendments. This bill is identical to HB 248.

SB 68. Firefighters and Emergency Medical Technicians Procedural Guarantee Act; conduct of interrogations. Technical amendments.

SB 88. Criminal Injuries Compensation Fund. Technical amendment.

SB 89. Petition to restore right to possess, etc., firearm; notice to attorney for the Commonwealth. The Governor's amendments are arguably technical and merely specify the manner of service of a petition, for restoration of rights for possession of a firearm, upon the attorney for the Commonwealth by mail or

delivery, rather than using the broader category of "service."

SB 100. Virginia Stock Corporation Act. The Governor's amendment unstrikes an existing sentence that provides that a shareholder or the shareholder's agent or attorney-in-fact may appoint a proxy to vote or otherwise act for the shareholder by signing an appointment form or by an electronic transmission. The amendment conforms the provision to the analogous section in SB 131, which made similar changes to the Virginia Nonstock Corporation Act.

SB 128. Air Pollution Control Board. The Governor's amendment returns the bill to its introduced form and prohibits the Air Pollution Control Board from requiring that electric generating facilities located in a nonattainment area meet NO_x and SO₂ compliance obligations without the purchase of allowances from in-state or out-of-state facilities. The version that passed the House and Senate allowed the Air Pollution Control Board to continue to restrict the use of allowances in any nonattainment area designated as such prior to January 1, 2010. See HB 1300, which with the Governor's amendment will be identical.

SB 130. Retail sales and use tax; exemption for purchase of certain computer equipment and enabling software. The Governor's amendment alters the exemption condition that a business create at least 50 new jobs by reducing it to 25 new jobs if the business is located in a locality with a high unemployment rate, or in an enterprise zone. The amendment aligns the bill with a similar provision in HB 1298, and is identical to the Governor's recommended amendment to HB 302.

SB 193. Medicaid provider agreements; authority to terminate. The Governor's amendment removes unnecessary language from one of the Code sections.

SB 201. Transportation programs; JLARC to administer a performance audit. The Governor's amendments remove the requirement that JLARC engage a private management consulting firm to perform the audit of transportation programs, and are identical to the Governor's recommended amendments to HB 42.

SB 241. Open Education Curriculum Board. The Governor's amendment in the nature of a substitute adds the Secretary of Education to the Open Education Curriculum Board and provides additional staff support from the Office of the Attorney General and Secretary of Technology. The substitute also makes several technical changes.

SB 246. Noise ordinance; authorizes governing body to adopt civil penalties. Along with technical amendments, the Governor's amendment limits a locality's noise ordinance so that such ordinance may not apply to sound emanating from any area permitted by the Virginia Division of Mines, Minerals and Energy or any division thereof. The amendments conform this bill to HB 297.

SB 248. Indigent defendants; right to ex parte hearing for appointment of experts in capital cases. The Governor's first amendment requires that a judicial appointment of a confidential expert for a defendant in a capital case be made, at an ex parte hearing, upon a finding of clear and convincing evidence that such confidentiality is warranted. The standard of evidentiary proof in the bill as sent to the Governor was unspecified, the only requirement being that the court make the decision independently. That requirement is now removed. The Governor's second amendment emphasizes the point that the court must find that only confidential assistance would result in a fair trial. The Governor's third amendment removes that language that specifically provides that the sealed record of the

ex parte hearing will be available for appellate and postconviction review; however, language that provides for unsealing the record for good cause shown remains in the bill.

SB 265. Hospice and home health care; licensure. Technical amendment.

SB 273. Affordable housing units; real property tax assessments. The Governor's amendments remove the restriction that the method of assessing affordable housing units apply only to property that contains more than four residential units, and are identical to the Governor's recommended amendments to HB 233.

SB 275. Advance medical directives. Technical amendment.

SB 282. Landlord and Tenant Act; eviction procedure; acceptance of redemption tenders. Technical amendment.

SB 295. Revision of Title 6.1. Technical amendments.

SB 309. Voter registration applications; retention of information on applicant's last previous residence. The Governor's amendment permits the general registrar to retain either the original or a copy of the portion of the application that shows the applicant's last previous place of registration if the applicant formerly resided in another state.

SB 338. Assisted living facility and group home; no more than eight aged, infirm, etc., persons shall reside. The enrolled bill replaced the terms "aged" and "infirm" with the word "elderly" in all instances. The Governor's amendment strikes the change and retains the words "aged" and "infirm" in the Code. If the Governor's amendments to both HB 967 and SB 338 are accepted, the bills will be identical.

SB 347. Center for Rural Virginia. The Governor's amendments (i) add the Deputy

Secretary for Rural Economic Development to a rural enterprise opportunity task force to develop strategies that expand and promote economic opportunities of the agriculture industry and (ii) require the task force to provide its written recommendations not only to the chairmen of the legislative committees with oversight responsibilities but also to the Secretaries of Commerce and Trade and Agriculture and Forestry, and the Lieutenant Governor. This bill is identical to HB 582.

SB 379. Southwest Regional Recreation Authority. Technical amendments.

SB 382. Jury panel; disclosure to counsel. The Governor's amendment reduces from five to three full business days the time period when a copy of the jury panel shall be made available to all counsel or record in a case. The enrolled bill increased this period from 48 hours to five full business days.

SB 387. Certificates of analysis in criminal cases. Technical amendment.

SB 406. Salvage vehicles; maintenance and contents of records; reports. The Governor's amendment increases from up to 10 days to at least 10 days, the amount of time a vehicle must be in a licensee's possession before he can crush or flatten the vehicle and removes exclusion of inoperable vehicles.

SB 410. State aging services; blueprint for livable communities and long-term services and supports for older Virginians and people with disabilities. The Governor's amendments clarify that the new four-year plan for aging services will first be submitted to the Governor and General Assembly by June 20, 2013, and then every four years thereafter. They also require a one-time update on the current plan by October 1, 2011.

SB 428. Income taxes; recognition of income from capital gains. The enrolled bill grants an income tax deduction for any income taxed as a long-term capital gain or investment services partnership interest income that is related to an investment in a technology business with a principal office or facility in the Commonwealth and less than \$3 million in annual revenues in the fiscal year prior to the investment. The Governor's amendment adds an emergency clause.

SB 459. Government Data Collection and Dissemination Practices Act. The Governor's amendment adds the State Council on Higher Education to the agencies that may share data. There is also a technical amendment.

SB 478. Tobacco products tax. Technical amendment that conforms the bill to HB 626, which has been signed by the Governor.

SB 491. Sale of used building fixtures. The enrolled bill imposes recordkeeping and other requirements on dealers in secondhand building fixtures. The Governor's amendment clarifies that the seller of an article is required to provide documentation to the dealer establishing that the seller lawfully possesses the article being sold.

SB 496. Charter; Town of Chatham. The Governor's amendment clarifies that the council member and mayoral elections will be held on the general election day in November, rather than the first Tuesday in November.

SB 509. Charter; Town of Vinton. The enrolled bill amended the charter by stating that vacancies on the council shall be filled within 45 days rather than 30 days of when the vacancy occurs. The Governor's amendments change the procedure for filling council vacancies by requiring the town to follow the general law going into effect July 1, 2010.

SB 555. Virginia Freedom of Information Act; proprietary records of the Virginia Tobacco Indemnification and Community Revitalization Commission. Technical amendments.

SB 561. Coal mine safety. The Governor's amendment requires that any substances included in the pre-employment substance abuse screening other than those 10 substances identified in the statute shall be set out in regulation adopted by the Board of Coal Mining Examiners. This bill is identical to HB 1185.

SB 602. Human infant; independent and separate existence. One amendment adds an emergency clause and the other amendments are technical and remove the omissions in the second enactment that sets forth the corrections fiscal impact. This bill is identical to HB 1033.

SB 613. State active military duty. The Governor's amendments provide that a member of the Virginia National Guard called to state active duty be given the option to continue, at the member's own expense, life insurance and long-term care insurance in addition to health insurance as provided for in the enrolled bill. This bill is identical to HB 1233.

SB 654. Electronic reforms; State Board of Elections. The Governor's amendment provides that the absentee voter applicant list that is to be available for inspection and copying and that may be provided to political parties or candidates upon request shall be used only for campaign and political purposes. The Governor's amendment also provides that such lists shall contain the post office box address, and not the street address, of voters who are permitted to use post office box addresses on such lists for reasons of voter safety.

SB 667. Dulles Access Highway. In addition to a technical amendment, the Governor's amendment provides that information collected by a photo-monitoring system or automatic

vehicle identification system shall be protected in a database with security comparable to that of the Department of Motor Vehicles' system. This bill is identical to HB 1295.

SB 715. Teacher training; civics education. The Governor's amendments clarify exactly which teachers need to fulfill the civics education requirement by making the language of the bill mirror language used by the Department of Education in its teacher licensure regulations. The amendment also makes clear that this is a one-time requirement.

SB 726. Ballast Water Control Report. The Governor's amendment in the nature of a substitute changes the name of the Hampton Roads Maritime Association to the Virginia Maritime Association in two additional sections where the term Hampton Roads Maritime Association is used. The Association is the designated organization responsible for submitting ballast water control reports.

SB 736. College Partnership Laboratory Schools. Technical amendments. This bill is identical to HB 1389.

SB 738. Establishment of virtual school programs. Technical amendment.

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***Bills Returned by the Governor to
the Regular Reconvened Session (1986-2010)***

YEAR	GOVERNOR	AMENDMENTS	VETOES	TOTAL UNSIGNED	SENT TO GOVERNOR	PERCENT RETURNED
1986	Baliles	51	4	55	648	8.5
1987		85	1	86	724	11.9
1988		107	8	115	915	12.6
1989		77	7	84	752	11.2
1990	Wilder	82	8	90	980	9.2
1991		83	19	102	742	13.7
1992		82	13	95	916	10.4
1993		110	13	123	1010	12.2
1994	Allen	160	20	180	995	18.1
1995		153	11	164	867	18.9
1996		151	9	160	1066	15.0
1997		155	11	166	933	17.8
1998	Gilmore	147	24	171	939	18.2
1999		118	13	131	1062	12.3
2000		60	16	76	1089	7.0
2001		91	7	98	882	11.1
2002	Warner	74	1	75	899	8.3
2003		87	4	91	1046	8.7
2004		60	2	62	1035	6.0
2005		45	1	46	949	4.8
2006	Kaine	123	7	130	958	13.6
2007		106	10	116	958	12.1
2008		36	1	37	889	4.2
2009		101	12	113	886	12.8
2010*	McDonnell	102	0	102	871	11.7

* 20 bills also were returned and approved with Governor's amendments and one bill with three Governor's amendments had two amendments approved and one rejected during the 2010 Regular Session.

Totals include HB 29 and 30, but not line item vetoes to the Budget Bills.

Sources: House and Senate Journals and Acts of Assembly.

Division of Legislative Services 4/2010.

2010

VIRGINIA DIVISION OF LEGISLATIVE SERVICES

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Published in Richmond, Virginia

**by the Division of Legislative Services,
an agency of the General Assembly of Virginia.**

<http://dls.virginia.gov>

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