

VIRGINIA DIVISION OF LEGISLATIVE SERVICES



2014 Session

The Virginia Division of Legislative Services is the legislative branch agency created statutorily by the General Assembly to provide nonpartisan legal and general research services to members of the General Assembly and its standing committees in the House of Delegates and Senate of Virginia.

This booklet is designed to introduce members of the General Assembly and their staffs to the organization of the Division, the major services it renders, and certain internal procedures.

Mission

The Division's mission is to assist legislators in fulfilling their duties and obligations as members of the General Assembly. This is accomplished by providing clear, concise, and objective information to all 140 members of the General Assembly.

Statutory Authority

Chapter 2.2 (§ 30-28.12 et seq.) of Title 30 of the *Code of Virginia* creates the Division of Legislative Services as a legislative agency of the Commonwealth, which is managed by a Director who is appointed jointly by the Committees on Rules of the House of Delegates and the Senate of Virginia and confirmed by the full House and Senate. The Director is required to be a graduate of an accredited law school.

DLS History

In 1914 the Virginia General Assembly created, within the Office of the Attorney General, the Legislative Reference Bureau. The Bureau's sole function was to draft legislation for introduction in the General Assembly. During a major governmental reorganization in 1930, the Bureau became the Division of Statutory Research and

Drafting and was moved from the Attorney General's Office to the legislative branch of state government. In addition to continuing the bill drafting duties, this new agency was charged with other legal services in support of the General Assembly.

In the 1970s, the Division was changed from a purely legal service agency to a legal and general service agency, renamed the Division of Legislative Services, and given the responsibility of providing both legal and research staff support to all legislators and standing committees of both houses of the General Assembly.

DIVISION OF LEGISLATIVE SERVICES

Office location and mailing address:

General Assembly Building
201 North 9th Street, 2nd Floor
Richmond, Virginia 23219

Telephone number: (804) 786-3591

Fax numbers: (804) 371-0169
(804) 371-8705

Internet address: <http://dls.virginia.gov>

Office hours

8:15 a.m. - 5:00 p.m. Monday through
Friday with extended hours during Session

Director: Robert Tavenner

Deputy Director: William Crammé

Services provided by the Division of Legislative Services:

- Legislative drafting.
- Legislative, legal, and general research.
- Legal and research support and policy analysis to standing committees and interim study committees and commissions.
- Legal and research support and policy analysis to most permanent legislative commissions.
- Legislative Reference Center services.
- Central repository for state agency regulations.
- Legislative, statutory, and administrative publications and other member services.
- FOIA opinions and training.
- Computer mapping and redistricting services.

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LEGISLATIVE DRAFTING

The Division drafts legislation pursuant to § 30-28.18 of the *Code of Virginia*. Members may submit requests to the Division year-round using their Patron Status Report webpages accessed through the Legislative Information System (LIS).

The member's Patron Status Report webpage provides 24-hour access for requesting legislative drafts (bills and resolutions) and for reviewing the record of all requests, including the date the request was received by the Division, the name of the drafter assigned to prepare the legislative draft, the current status of the request, and an electronic version of the draft at the end of the drafting process.

This system allows a member to:

- Meet request deadlines.
- Organize and monitor the status of drafting requests.
- Receive transferred electronic legislative drafts from the Governor, legislative and judicial branch agencies, and independent agencies.
- Transfer drafts for introduction by other members.
- File legislative drafts with the Clerk of the appropriate house.
- Request copatrons for legislation introduced by the member and sign on as a copatron to legislation introduced by other members.

When a drafting request is received by the Division, it is assigned to an attorney or

research associate with expertise in the subject area of the request. The drafter will contact the member for further clarification if needed.

Most drafting requests are received by the Division just prior to the December deadline for legislation to be prefiled or soon after the session begins. Requests received prior to these busy times allow additional attention by the drafters and additional time for communication with the requester. Legislators are encouraged to speak directly with the drafters who have been assigned their requests.

The draft and its summary are available to the member when the draft is Ready for Filing. The legislative draft and summary can be printed or emailed or may be transferred for introduction by another member or submitted to the appropriate Clerk.

CONFIDENTIALITY

The drafting of legislation, as well as other services of the Division, is treated confidentially, except (i) when a drafting request is substantially the same as one previously received, the subsequent requester may be advised of the earlier request and (ii) the nature of a request may be revealed when the drafter is seeking information from another resource to assist in the drafting of the proposal. These exceptions will not be made, however, in any case where the member **specifically requests strict confidentiality.**

FILING LEGISLATION

Bills prepared by the Division may be introduced into either house of the General Assembly by a member of that house. Legislation is introduced during prefile periods and during sessions by a member of the General Assembly through the member's Patron Status Report webpage.

By resolution of the Joint Rules Committee, prefile periods generally begin the third Monday in November of the preceding year for even-numbered-year sessions and the third Monday in July of the preceding year for odd-numbered-year sessions. Specific requirements and deadlines apply in order for a request to qualify for prefiling.

DRAFTING AMENDMENTS

Division staff prepare amendments to legislation for standing committees or individual legislators. Members may present amendments to the standing committees for their adoption or they may introduce the amendments in the chamber as floor amendments.

When amendments are so substantial that they require a rewrite of a bill or resolution, an amendment in the nature of a substitute (commonly referred to as ANS) is prepared.

Committee amendments, both line-by-line and substitutes, are delivered to the Clerk of the House or Senate by the committee clerk as soon as the bill is reported out of

committee. Any member who wishes to offer a floor amendment, either line-by-line or substitute, should present copies to the Clerk of the House or Senate as soon as possible to ensure that necessary copies can be reproduced for other members of the appropriate house.

DRAFTING COMMITTEE OF CONFERENCE REPORTS

Whenever a bill or resolution passes both houses, but in different versions, and each house rejects the version of the other house, a committee of conference may be appointed to resolve the matter or matters under disagreement on the legislation. Such committees will consist of three members of the House appointed by the Speaker and three members of the Senate appointed by the chair of the Senate standing committee that considered the bill or resolution. The chair of the conference committee is the first named member of the house of origin.

Consideration of the committee of conference is restricted only to the matters of disagreement between the two houses. This rule is sometimes honored in the breach, so as to permit the divided views to reach a workable compromise. If, after consideration, a majority of the conferees from each chamber agree to resolve the matters under disagreement, a member of the Division staff will draft the conference report. The report will recommend that the amendments to the bill or resolution in disagreement be either accepted or

rejected; the report may also include additional amendments to resolve the matters under disagreement. Six copies of the report will be prepared and signed by each member of the committee who agrees with it. Members are permitted to include a dissenting statement to the report. Three copies of the signed report are sent to each house. If both the House and the Senate approve the report, the bill is passed and action is completed. If either house rejects the report, the measure fails and legislative action is terminated unless another committee of conference for the same measure is requested and approved by both houses.

RESEARCH AND POLICY ANALYSIS

The Division's staff has access to a variety of information resources. Members of the General Assembly have immediate access to the Division's Legislative Reference Center, the Library of Virginia, and the State Law Library. Through cooperative agreements with the Division's Legislative Reference Center, Division staff may obtain materials from libraries throughout the Commonwealth and the nation.

Research and analysis available from DLS staff include:

- Compiling and analyzing Virginia law on particular subjects.
- Analyzing and summarizing specific federal laws or specific laws of other states.

- Summarizing and analyzing administrative regulations (federal and state).
- Analyzing reports, studies, and proposed legislation from other states.
- Analyzing policies and developing ideas and concepts fostered by committees, subcommittees, or individual members.
- Answering other types of legislative inquiries from members.
- Acting as a resource and advisor with a member and a constituent with issues involving an administrative/executive branch agency.

LEGISLATIVE REFERENCE CENTER

The Legislative Reference Center's collection supports the research efforts of the members of the General Assembly and the Division's staff through its reference sources and computer data services. Reference materials concerning Virginia law and legislation such as the *Code of Virginia*, the *Acts of Assembly*, House and Senate Journals, bound volumes of bills and resolutions considered by the General Assembly, House and Senate Documents, Legislative Impact Statements, opinions of Virginia appellate and circuit courts, *Michie's Jurisprudence*, and Attorney General opinions and law reviews from all of the Virginia law schools are available. The Legislative Reference Center's collection also includes current statutes from other states such as North Carolina, West Virginia, and Maryland, in addition to the *United States Code*.

Materials used by Division staff in compiling data for legislative reports are also kept in the Legislative Reference Center, as well as publications from the National Conference of State Legislatures and the Council of State Governments. Popular news sources in the form of periodicals and journals concerning state and local government are a permanent component of the Legislative Reference Center's collection.

The Legislative Reference Center's collection is enhanced through subscriptions to several data services including Westlaw and LEXIS legal databases.

The Legislative Reference Center is open 8:00 a.m. - 5:00 p.m., Monday through Friday and as necessary when the General Assembly is in session. Members of the General Assembly and their staff have complete access to the Legislative Reference Center's resources.

STATUTORY AND ADMINISTRATIVE LAW RESPONSIBILITIES

The Division of Legislative Services provides staff to support the Virginia Code Commission as the Commission fulfills its statutorily mandated duties. The Virginia Code Commission appoints the Registrar of Regulations, who is responsible for publishing the *Virginia Register of Regulations*. The *Virginia Register of Regulations* is a biweekly publication that contains all proposed, final, and emergency regulations of state agencies, executive

orders of the Governor, and notices of public hearings on regulations. Once regulations become effective, they are codified into the *Virginia Administrative Code*, a compilation of all permanent state agency regulations. The print version is supplemented twice a year, and the online version available through LIS is updated daily.

The Division also provides staff support to the Code Commission in fulfillment of the Commission's other statutory responsibilities, including codifying the acts of the General Assembly, publishing and maintaining a Code of the general and permanent statutes of the Commonwealth, and revising major portions of the *Code of Virginia*. The operational sections of the Division provide specialized staff support for recodifications of designated titles and provide other assistance as required.

PUBLICATIONS

Session Summary

Mailed to the legislators within two weeks of the session's adjournment, the *Session Summary* contains brief descriptions of all bills the legislators considered that year. The summaries are arranged according to *Code* title topic and are subdivided within each category according to whether the bill passed, failed, or was carried over.

Newsletters

During the interim between legislative sessions, the Division publishes the *Virginia Legislative Record*, which reports on the deliberations of legislative commissions and

joint subcommittees and includes the “Regulatory Alert,” a brief and timely summary of rules proposed by agencies, boards, and commissions. In addition, the Division’s *Issue Briefs* report on issues of interest to legislators throughout the year and provide members of the General Assembly with an annual summary of issues likely to be discussed at the upcoming legislative session. The *DLS Report* provides members with background information on a variety of issues. Distributed to members on the final day of the regular session, *Session Highlights* provides a brief summary of significant legislation considered by the General Assembly. At the reconvened session, the Division publishes a summary of the Governor’s amendments and vetoes. Finally, *In Due Course*, distributed in June, is designed to inform constituents of new laws that will take effect on July 1 of each year.

Legislator’s Guides

Since 1989, the Division has published a series of *Legislator’s Guides*. *Guides* currently are available for state and local taxation, transportation, conflicts of interest and rules of conduct, the judicial selection process, Virginia’s regulatory process, and education. The *Guides* are designed to provide legislators with a convenient, accessible, and comprehensive source of information and are updated or revised as needed to remain current with changes in law and policy.

Redistricting Publications

During the redistricting period, the Division publishes *Drawing the Line*, a newsletter

reporting on redistricting developments. Also published is a *Guide to Local Redistricting*.

All Division publications are available on the DLS website at <http://dls.virginia.gov/>.

COMPUTER MAPPING AND REDISTRICTING

The computer mapping and redistricting staff provide specialized and generalized geographic information systems (GIS) services to the members of the General Assembly and to the public. Staff maintain a GIS website where users may view legislative and congressional districts and data pertaining to those districts, supply a system to facilitate statewide redistricting, and generate electronic and paper maps upon request.

DIVISION STAFF

BUSINESS AND JURISPRUDENCE

Corporations, Insurance, Banking, Labor, Criminal and Civil Law and Procedure, Corrections, Technology and Science, and Militia and Police.

William Crammé	Section Manager
Brenda Dickerson	Senior Operations
	Staff Assistant

Commerce and Labor

Franklin Munyan	Senior Attorney
House Committee:	Commerce and Labor
Senate Committee:	Commerce and Labor

Courts of Justice

Aaron Campbell	Attorney
David Cotter	Senior Attorney
Mary Kate Felch	Senior Research Associate
Jescey French	Senior Attorney
Kristen Walsh	Attorney
House Committee:	Courts of Justice
Senate Committee:	Courts of Justice

Judicial Selection/Corrections

Mary Kate Felch	Senior Research Associate
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Militia, Police and Public Safety

David Cotter	Senior Attorney
Kristen Walsh	Attorney
House Committee:	Militia, Police and Public Safety

Commission on Electric Utility Regulation

Franklin Munyan	Senior Attorney
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Manufacturing Development Commission

Mark Vucci	Senior Attorney
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Small Business Commission

Amigo Wade	Senior Attorney
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Commission on Unemployment Compensation

Franklin Munyan	Senior Attorney
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Commissioners for the Promotion of Uniformity of Legislation in the United States

Jescey French

Senior Attorney

Business and Jurisprudence staff members conduct research, staff activities, and draft legislation for the following titles of the *Code of Virginia*:

6.2	Financial Institutions and Services
8.01	Civil Remedies and Procedure
8.1A-8.11	Uniform Commercial Code
11	Contracts
12.1	State Corporation Commission
13.1	Corporations
16.1	Courts Not of Record
17.1	Courts of Record
18.2	Crimes and Offenses
	Generally
19.2	Criminal Procedure
20	Domestic Relations
25.1	Eminent Domain
34	Homestead and Other Exemptions
38.2	Insurance
40.1	Labor and Employment
41.1	Land Office
43	Mechanics' and Certain Other Liens
44	Military and Emergency Laws
47.1	Notaries and Out-of-State Commissioners
49	Oaths, Affirmations and Bonds
50	Partnerships
52	Police (State)
53.1	Prisons and Other Methods of Correction
55	Property and Conveyances (legal instruments)
56	Public Service Companies
59.1	Trade and Commerce

60.2	Unemployment Compensation
64.2	Wills, Trusts, and Fiduciaries
65.2	Workers' Compensation
66	Juvenile Justice
67	Virginia Energy Plan

FINANCE AND GOVERNMENT

General Laws, Government, Finance, Taxation, Transportation, Local Government, Housing, Agriculture and Natural Resources, and Freedom of Information.

John Garka	Section Manager
Darlene Jordan	Senior Operations Staff Assistant

Agriculture and Natural Resources

Martin Farber	Senior Research Associate
Scott Meacham	Attorney
House Committee:	Agriculture, Chesapeake and Natural Resources
Senate Committee:	Agriculture, Conservation and Natural Resources

Finance and Taxation

Nicole Brenner	Attorney
David Rosenberg	Senior Attorney
Mark Vucci	Senior Attorney
Lisa Wallmeyer	Senior Attorney
House Committees:	Appropriations; Finance
Senate Committee:	Finance

General Laws

Maria Everett	Senior Attorney
Amigo Wade	Senior Attorney

House Committee: General Laws
Senate Committee: General Laws and
Technology

Local Government

Scott Meacham Attorney
Jeffrey Sharp Senior Attorney
House Committee: Counties, Cities and
Towns
Senate Committee: Local Government

Transportation

Nicole Brenner Attorney
Alan Wambold Senior Research
Associate
House Committee: Transportation
Senate Committee: Transportation

Chesapeake Bay Restoration Fund Advisory Committee

Martin Farber Senior Research
Associate
Gwen Foley Senior Operations
Staff Assistant

Coal and Energy Commission

Scott Meacham Attorney
Franklin Munyan Senior Attorney

Freedom of Information Advisory Council

Maria Everett Executive Director
Alan Gernhardt Senior Attorney

Virginia Housing Commission

Elizabeth Palen Executive Director

**Public-Private Education Facilities and
Infrastructure Act Model Guidelines
Working Group**

Amigo Wade Senior Attorney

**General Laws Special Joint
Subcommittee Studying the Virginia
Public Procurement Act**

Maria Everett Senior Attorney

**Joint Commission on Technology and
Science**

Lisa Wallmeyer Executive Director

**Joint Subcommittee to Evaluate Tax
Preferences**

David Rosenberg Senior Attorney
Lisa Wallmeyer Senior Attorney

**Joint Commission on Transportation
Accountability**

Nicole Brenner Attorney
Alan Wambold Senior Research
Associate

State Water Commission

Martin Farber Senior Research
Associate

Finance and Government staff members
conduct research, staff activities, and draft
legislation for the following titles of the
Code of Virginia:

- 1 General Provisions
- 2.2 Administration of Government
- 3.2 Agriculture, Animal Care, and
Food
- 4.1 Alcoholic Beverage Control
Act

5.1	Aviation
9.1	Commonwealth Public Safety
10.1	Conservation
15.2	Counties, Cities and Towns
21	Drainage, Soil Conservation, Sanitation and Public Facilities Districts
27	Fire Protection
28.2	Fisheries and Habitat of the Tidal Waters
29.1	Game, Inland Fisheries and Boating
33.1	Highways, Bridges and Ferries
36	Housing
42.1	Libraries
45.1	Mines and Mining
46.2	Motor Vehicles
48	Nuisances
51.1	Pensions, Benefits, and Retirement
54.1	Professions and Occupations
55	Property and Conveyances (property management)
57	Religious and Charitable Matters; Cemeteries
58.1	Taxation
61.1	Warehouses, Cold Storage and Refrigerated Locker Plants
62.1	Waters of the State, Ports and Harbors

RULES, EDUCATION, ELECTIONS, AND SPECIAL PROJECTS

Rules, Privileges and Elections, Education, Health, Social Services, Resolutions, Publications, Redistricting, Geographic Information Systems, and Internet.

R.J. (Jack) Austin	Section Manager
Gwen Foley	Senior Operations Staff Assistant
Iris Fuentes	Senior Operations Staff Assistant
Stephanie Kerns	Senior Staff Assistant

Education and Health

Ryan Brimmer	Attorney
Thomas Stevens	Attorney
House Committee:	Education
Senate Committee:	Education and Health

Elections and Rules

Meg Burruss	Attorney
Brenda Edwards	Senior Research Associate
Cheryl Jackson	Manager, Information Services
Mary Spain	Senior Attorney
House Committees:	Privileges and Elections; Rules
Senate Committees:	Privileges and Elections; Rules

Science and Technology

David May	Attorney
House Committee:	Science and Technology

Social Services

David May	Attorney
Sarah Stanton	Senior Attorney
House Committee:	Health, Welfare and Institutions
Senate Committee:	Rehabilitation and Social Services

Computer Mapping and Redistricting Services

Julie Smith	Information Technology/GIS Analyst
Kent Stigall	GIS Specialist

Editing

Lilli Hausenfluck	Chief Editor
Viqi Wagner	Editor

Publications and Resolutions

Mindy Tanner	Communications and Research Associate
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Autism Advisory Council

Ryan Brimmer	Attorney
Sarah Stanton	Senior Attorney

Virginia Bicentennial of the American War of 1812 Commission

Brenda Edwards	Senior Research Associate
Jeffrey Sharp	Senior Attorney

Brown v. Board of Education Scholarship Committee

Brenda Edwards	Senior Research Associate
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Virginia Disability Commission

Ryan Brimmer	Attorney
Sarah Stanton	Senior Attorney

Dr. Martin Luther King, Jr. Memorial Commission

Brenda Edwards	Senior Research Associate
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Virginia Sesquicentennial of the American Civil War Commission

Cheryl Jackson	Executive Director
Alex Hartle	Associate Editor/ Communications Coordinator

Rules, Education, Elections, and Special Projects staff members conduct research, staff activities, and draft legislation for the following titles of the *Code of Virginia*:

22.1	Education
23	Educational Institutions
24.2	Elections
30	General Assembly
32.1	Health
35.1	Hotels, Restaurants, Summer Camps, and Campgrounds
37.2	Behavioral Health and Developmental Services
51.5	Persons with Disabilities
54.1	Subtitle III: Health Professions
63.2	Welfare (Social Services)

ACCOUNTING AND PERSONNEL

Caryl Harris	Fiscal Officer
Michelle Montgomery	Fiscal Technician
Jessica Walton	Assistant Fiscal Officer

CODES AND REGULATIONS

Administrative Law Advisory Committee

Andrew Kubincanek Program Coordinator

Joint Commission on Administrative Rules

Karen Perrine Attorney

Virginia Code Commission/*Register of Regulations*

Jane Chaffin	Registrar of Regulations
Anne Bloomsburg	Regulations Analyst
Rhonda Dyer	Publications Assistant
Terri Edwards	Operations Staff Assistant
Karen Perrine	Assistant Registrar of Regulations

LEGISLATIVE REFERENCE CENTER

Cheryl Jackson	Manager, Information Services
Mary Dale	Records Technician
Theresa Schmid	Research Associate

OPERATIONAL STAFF

Abigail Broady Receptionist

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