

Roads back to those regions for transportation purposes. The Northern Virginia Transportation Authority administers the funds for transportation projects in Northern Virginia. The bill creates the Hampton Roads Transportation Authority to administer the funds for transportation projects in the Hampton Roads area.

Patron - Reese

HB2190 Business, professional and occupational license (BPOL) tax; newspapers' exemption. Repeals the BPOL tax exemption for newspapers, magazines, newsletters or other publications issued daily or regularly at average intervals not exceeding three months, provided they also have a sales tax exemption. This bill has been incorporated into HB 2000.

Patron - Wardrup

HB2191 Newspaper tax; Environmental Newspapers Fund. Creates a tax to be imposed on newspaper publishers at the rate of \$0.01 on every newspaper published and delivered daily in the Commonwealth. The revenue generated shall be deposited into a special fund, the Environmental Newspapers Fund, to be used for environmental activities throughout the Commonwealth, after the administrative expenses are retained by the Tax Department.

Patron - Wardrup

HB2231 Local meals taxes and food and beverage taxes; gratuities and service charges. Prohibits imposition of local meals taxes and local food and beverage taxes on that portion of the sales price constituting a gratuity or service charge. This bill has been incorporated into HB 2232.

Patron - Gear

HB2232 State and local sales and use tax and local taxes on meals; gratuities or service charges on meals. Excludes from the sales price of meals all gratuities or service charges for purposes of calculating the sales and use tax and the local tax on meals. This bill incorporates HB 2231.

Patron - Gear

HB2241 Business, professional and occupational license tax; real estate appraisal entities. Exempts from the BPOL tax the gross receipts that are received by an appraisal entity for real estate appraisal transactions when such amounts are paid to an appraiser affiliated with the appraisal entity as a fee and the appraiser pays the BPOL tax on such receipts.

Patron - O'Bannon

HB2257 Tangible personal property tax relief. Amends the personal property tax relief program effective January 1, 2006, by establishing a reimbursement ratio to determine each locality's share of the \$950 million of total car tax relief. The reimbursement ratio is a fraction (i) the numerator of which is the value of all qualifying vehicles in a locality, up to the first \$20,000 of value, multiplied by the effective tax rate in effect in the locality on July 1, 1997, or August 1, 1997, whichever is greater; and (ii) the denominator of which is the aggregate amount of the calculation in (i) for all localities. The bill also provides that reimbursements to localities will be paid in 12 equal monthly installments beginning with the month of May each year, and requires localities to provide, in an equitable manner, personal property tax relief on qualifying vehicles. This bill has been incorporated into HB 1654.

Patron - Bell

HB2269 Sales and use tax exemption; school-related items. Beginning in 2005, provides a sales and use tax exemption for certain school-related items purchased during a specific one-week period during the end of August each year.

The exempt items are: (i) school supplies, footwear, and clothing where the selling price of each item is \$100 or less; (ii) computer systems where the selling price for each system is \$1,500 or less; and (iii) computers, computer hardware, computer software, and portable calculators where the selling price for each item is \$500 or less. This bill has been incorporated into HB 1878.

Patron - Bell

HB2289 Individual and corporate income tax credit; agricultural best management practices. Increases the current maximum individual and corporate income tax credit from 25 percent to 30 percent of the first \$70,000 of the cost of implementing agricultural best management practices (i.e. from \$17,500 to \$21,000). The bill also creates new individual and corporate income tax credits equivalent to 50 percent of the first \$70,000 (or \$35,000) of the cost of implementing an agricultural best management practice that directly establishes actively growing vegetative cover on crop fields throughout the entire calendar year. Both credits cannot be taken for the same costs. The bill is effective for taxable years on and after January 1, 2006.

Patron - Lingamfelter

HB2292 Transportation Trust Fund; dedication of certain recordation tax revenue. Dedicates to the Transportation Trust Fund the additional recordation tax revenue generated by the recordation tax increase enacted during the 2004 Special Session I.

Patron - Lingamfelter

HB2300 Income tax; voluntary contribution of tax refunds for western Virginia region cultural organizations. Allows taxpayers entitled to an income tax refund to designate part or all of their refund to 17 western Virginia region cultural organizations.

Patron - Fralin

HB2302 Income tax; toll payments tax credit. Provides a tax credit against income tax, for taxpayers owning and operating commercial vehicles, in an amount equal to 25 percent of the total for tolls paid on Virginia highways, for taxable years beginning on and after January 1, 2006.

Patron - Fralin

HB2339 Sales and use taxes, reduction of rate on food purchased for human consumption. Provides that the retail sales and use tax on food purchased for human consumption shall be imposed at a rate of 2.5 percent on and after July 1, 2005 (1.5 percent state and 1 percent local). Current law provides that the sales and use tax on food shall be imposed at a rate of 3.5 percent beginning July 1, 2005; 3 percent beginning July 1, 2006; and 2.5 percent beginning July 1, 2007. The bill accelerates the tax relief. This bill is identical to HB 2017 and HB 2421 and has been incorporated into HB 1638.

Patron - Athey

HB2340 Local license fees and taxes; exemption. Provides an exemption from local license fees and taxes at the locality's option to an entity that manufactures and sells the manufactured goods at the place they were manufactured. Under current law such exemption is restricted to the sale of such goods at wholesale.

Patron - Putney

HB2356 Motor fuel tax; rate increase. Increases the tax on gasoline, diesel fuel, and alternative fuel by \$0.075 per gallon, increases the motor carrier road tax by an equivalent of \$0.075 per gallon of fuel used in the Commonwealth, and increases the alternative use fee for certain motor carriers

from \$100 to \$150 (the fee is an alternative to paying the motor carrier road tax). All motor fuels taxes will be indexed every two years beginning July 1, 2006, by an amount equal to the percentage change in the U.S. Department of Labor's Producer Price Index for Highway and Street Construction. The revenue generated is used for transportation purposes as required by existing law.

Patron - Watts

HB2359 Local piggyback income tax and personal property tax. Allows localities to impose a local income tax at a rate of either one-half or one percent upon the Virginia taxable income of individuals, trusts, estates, and corporations; provided the personal property tax rate does not exceed \$0.01 per \$100 of value on personally owned motor vehicles. The Tax Commissioner collects the tax and returns it to localities based on taxpayers' residences. A new classification for personal property tax purposes is created for motor vehicles used for nonbusiness purposes. The provisions of the act will take effect January 1, 2006.

Patron - Watts

HB2373 Local tax appeals process. Permits the local appeals process to apply to additional local taxes assessed on a business, including consumer utility, food and beverage, recordation, admissions, video programming, transient occupancy, and cigarette taxes. This bill has been incorporated into HB 2679.

Patron - Ware, R.L.

HB2374 Local taxes; appeals and rulings process. Requires the commissioner of the revenue or other assessing official to include the facts and arguments supporting his decision in a written determination when a correction is sought for a business tax assessment. The taxpayer is also required to submit a copy of the written determination with any appeal to the Tax Commissioner. Finally, the bill shortens the time from two years to 180 days for determining when the taxpayer may appeal to the Tax Commissioner absent a final determination from the commissioner of the revenue. This bill has been incorporated into HB 2679.

Patron - Ware, R.L.

HB2392 Local cigarette tax. Authorizes all counties to impose a cigarette tax not to exceed \$0.50 per pack.

Patron - Barlow

HB2401 Dickenson County's use of Coal and Gas Road Improvement Fund. Allows Dickenson County to use up to \$500,000 in 2005 and again in 2006 from its coal and gas road improvement fund for the purpose of debt reduction. Any of the authorized amounts not used for such purpose are to be used for public road improvements and water and sewer systems in Dickenson County.

Patron - Phillips

HB2421 Sales and use taxes, reduction of rate on food purchased for human consumption. Provides that the retail sales and use tax on food purchased for human consumption shall be imposed at a rate of 2.5 percent on and after July 1, 2005 (1.5 percent state and 1 percent local). Current law provides that the sales and use tax on food shall be imposed at a rate of 3.5 percent beginning July 1, 2005; 3 percent beginning July 1, 2006; and 2.5 percent beginning July 1, 2007. The bill accelerates the tax relief. This bill is identical to HB 2339 and HB 2017 and has been incorporated into HB 1638.

Patron - Parrish

HB2426 Disposition of certain tax revenues to transportation districts. Provides that the localities within the

Potomac and Rappahannock Transportation Commission may request that motor vehicle fuel sales tax funds collected be disbursed to the locality in which the revenue was generated to be used in accordance with all other procedures of the Commission. Also, a transportation commission may meet at two or more locations simultaneously, linked by telephonic or video conferencing as long as each location is public and has met all advertising requirements.

Patron - Cole

HB2432 Virginia Fuels Tax Act. Indexes the rate of tax on each gallon of motor fuel on July 1 of each even-numbered year by the percent change in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average for All Items, as reported by the U.S. Department of Labor Bureau of Labor Statistics for the immediately preceding two years.

Patron - Hamilton

HB2453 Real property assessments. Provides that (i) certain federal or state restrictions on real property be considered in determining the fair market value and the capitalization rate for the real property, and (ii) federal and state income tax credits with respect to real property shall not be considered real property or income attributable to real property.

Patron - Suit

HB2466 Sales and use tax exemption; school textbooks. Provides a sales and use tax exemption on the purchase of required textbooks to students attending any institution of learning. Under current law, the exemption is provided only to those students attending nonprofit institutions of learning.

Patron - May

HB2494 Tax reform; income tax, sales and use tax, estate tax, and local license taxes. Makes numerous changes to the income tax and sales and use tax, increases the motor vehicle sales and use tax from three percent to four percent and reduces the sales price by the value of any trade-in, repeals local license taxes, eliminates the estate tax, eliminates the accelerated sales tax payments by certain vendors, and repeals the Personal Property Tax Relief Act of 1998. Regarding sales and use taxes, the bill repeals most exemptions, exempts food from the tax, and extends imposition of the tax to most services, excluding health care services and business to business services. The bill creates a new set of individual income tax rates and eliminates almost all exemptions, deductions, subtractions and credits for calculating taxable income. The only remaining deductions are for social security income and income earned on obligations of the federal government included in federal adjusted gross income. In addition, revenues collected from one and one-half percent of the taxable income reported by the Department of Taxation annually will be distributed to localities that have a property tax rate on motor vehicles no greater than \$0.01 per \$100 of assessed value, based on their share of such taxable income. The new income tax rates are as follows:

Virginia Taxable Income Level	Single Taxpayer	Married Taxpayer
\$0 - \$12,000	0%	0%
\$12,001 - \$24,000	3.5%	0%
\$24,001 - \$30,000	4%	0%
\$30,001 - \$45,000	5.5%	5.5%
\$45,001 and above	6.25%	6.25%

Patron - Louderback

HB2496 Individual income tax; tax credit for certain teachers in certain schools. Provides a \$500 income tax credit to individuals who are employed as licensed instructors in schools that have not attained full accreditation either for a specific subject area or for the entire school, for taxable years beginning on and after January 1, 2006. The school must attain full accreditation within three years of the teacher's employment in the school or the credit ends for that teacher.

Patron - Keister

HB2506 Voluntary contributions to Brown v. Board of Education Scholarship Program Fund. Allows individuals entitled to a state income tax refund to contribute a portion, at least \$1, or all of the refund to the Brown v. Board of Education Scholarship Program Fund for taxable years beginning on and after January 1, 2005. The Fund provides financial aid to eligible students who were enrolled in the public schools between 1954 and 1964 in school divisions in which schools were closed to avoid desegregation, to assist them in obtaining either a General Education Development (GED) certificate, a high school diploma, or a two-year or four-year undergraduate degree from an accredited public institution of higher education in Virginia. This bill is a recommendation of the Brown v. Board of Education Scholarship Awards Committee. This bill has been incorporated into HB 2303.

Patron - Abbitt

HB2513 Income tax; employer provided long-term care insurance tax credit. Grants an income tax credit to business taxpayers that provide long-term care insurance for employees. The annual credit allowed is 10 percent of the costs of the long-term care insurance premiums but no more than (i) a total of \$5,000 or (ii) \$100 per employee, whichever is less.

Patron - Landes

HB2548 Individual income tax; credit for ignition interlock. Provides a credit, not to exceed \$250, to individuals who purchase and install or have installed an ignition interlock, for taxable years beginning on and after January 1, 2006.

Patron - Moran

HB2553 Income tax; railroad company tax credit. Grants a tax credit to a rail company that improves its intermodal rail lines located in western Virginia. The credit will be for direct costs incurred in undertaking the rail improvements, for taxable years beginning on or after January 1, 2006, and before January 1, 2011. The credit is limited to \$2.5 million dollars.

Patron - Cline

HB2559 Sales and use tax exemption; school-related items. Beginning in 2005, provides a sales and use tax exemption for certain school-related items purchased during a specific one-week period during the end of August each year. The exempt items are: (i) school supplies, footwear, and clothing where the selling price of each item is \$100 or less; (ii) computer systems where the selling price for each system is \$1,500 or less; and (iii) computers, computer hardware, computer software, and portable calculators where the selling price for each item is \$500 or less. This bill has been incorporated into HB 1878.

Patron - Cline

HB2600 Individual income taxes; credit for purchase of long-term care insurance. Provides a credit against individual income taxes for certain long-term care insurance premiums paid by individuals during the taxable year. An individual at least 70 years old, or an individual purchasing long-

term care insurance for a Virginia resident at least 70 years old, is eligible for an individual income tax credit for insurance premiums paid by the individual for long-term care insurance coverage of Virginia residents at least 70 years old. The tax credit is the lesser of the individual's income tax liability or the actual premiums paid in the taxable year. The credit would be available beginning with the 2005 taxable year. Individuals itemizing on their federal income tax return long-term care insurance premiums for insurance coverage on a resident individual of the Commonwealth at least 70 years old are not eligible for the tax credit. This bill incorporates HB 2864.

Patron - Landes

HB2675 Admissions taxes; classification. Designates motion pictures played in theatres as a separate class of events for purposes of imposing the local admissions tax.

Patron - Ebbin

HB2702 Income tax; distribution of revenues to localities. Requires the transfer of one percent of individual income tax revenues to localities in 2005, and the amount increases one percent each year until it reaches a maximum of five percent for 2009 and thereafter. The revenues are distributed to counties and cities as follows: (i) 50 percent based on the relative share of the total state income tax paid by taxpayers filing returns in each locality, (ii) 40 percent based on where wages are earned, and (iii) 10 percent divided equally among all counties and cities.

Patron - Sickles

HB2705 Motor fuels tax. Increases the motor fuels tax by \$0.07 per gallon. The bill is effective January 1 of the year immediately following the year in which a constitutional amendment is adopted at a statewide referendum that prohibits the use of funds in the Transportation Trust Fund for any purpose other than transportation.

Patron - Sickles

HB2706 Individual income tax; age deduction. Provides a \$6,000 individual income tax deduction in 2005 and 2006 for any person who turned 62 during calendar year 2004. Under current law, a person would have had to turn 62 by January 1, 2004, to be eligible for the \$6,000 age deduction.

Patron - Sickles

HB2719 Secrecy of tax information; sharing information with the Department of Medical Assistance Services. Allows the Tax Commissioner to share otherwise confidential information from a state tax return with the Director of the Department of Medical Assistance Services, to the extent that the person filing the return has requested to receive information concerning children's health insurance programs. The Tax Commissioner may only share the information necessary to contact those individuals. The Director of the Department of Medical Assistance Services will be subject to the general confidentiality provisions for tax information set forth in this section once he is in receipt of the contact information.

Patron - Miller

HB2743 Sales and use taxes from watercraft; City of Hampton. Dedicates for recreational and environmental projects in the City of Hampton 2 percent of the 3.5 percent state general sales tax revenues and all of the watercraft sales tax revenues from the sales of boats taking place in the City and from sales made by boating businesses located in the City, which revenues are in excess of such revenues actually collected during the Commonwealth's fiscal year ending June 30, 2003.

Patron - Ward

HB2750 Virginia Estate Tax. Exempts from tax certain estates if a majority of the assets of the total estate are represented by an interest in a closely held business or a working farm as defined in the act. Also, the bill exempts estates of less than \$10 million. Estates in excess of \$10 million would pay a tax of only 75 percent of the amount of the federal estate tax credit. This bill has been incorporated into HB 1490.

Patron - Hall

HB2759 Commercial and industrial sales and use tax exemption; emergency medical service providers. Provides a sales and use tax exemption for parts, tires, and dispatch radios purchased for emergency medical service providers.

Patron - Nutter

HB2769 Individual income tax; personal exemption. Increases the personal exemption amount from \$900 to \$1,000 for taxable years beginning on and after January 1, 2006. This bill has been incorporated into HB 1717.

Patron - Nutter

HB2789 Local meals tax; Washington County. Adds Washington County to those counties that are authorized to impose a meals tax up to four percent upon a public hearing and unanimous approval by the local governing body of the locality. In general, counties may impose a local meals tax upon approval by referendum. However, several counties have been authorized to impose a meals tax upon a public hearing and unanimous approval by the local governing body.

Patron - Johnson

HB2811 Individual income tax; distribution to localities. Requires the distribution of 25 percent of income tax revenues collected from employees of new business enterprises back to the localities in which the enterprises are located. Distributions will continue for 10 years or as long as the business remains in the locality, whichever is less.

Patron - Cosgrove

HB2817 State transient occupancy tax; Coalfield region. Imposes a three percent state transient occupancy tax in the region comprised of Buchanan County, Dickenson County, Lee County, Russell County, Scott County, Tazewell County, Wise County, and the City of Norton. All revenues generated by the tax shall be paid to the Virginia Coalfield Regional Tourism Development Authority and used solely for the purpose of promoting tourism and travel in the region.

Patron - Phillips

HB2819 Virginia Coal Employment and Production Incentive Tax Credit. Extends the sunset of the Virginia Coal Employment and Production Incentive Tax Credit to tax years beginning on and after January 1, 2009. The credit is currently set to expire for all tax years on and after January 1, 2005.

Patron - Phillips

HB2861 Return of local surplus funds. Allows any locality to develop a method for returning surplus real property tax revenues to taxpayers who are assessed real property taxes in any fiscal year in which the locality reports a surplus. Currently, this authority is granted to Albemarle County. This bill has been incorporated into HB 2662.

Patron - Black

HB2864 Individual income taxes; credit for health insurance and health savings accounts. Provides a credit against individual income taxes for health insurance premiums

and health savings account contributions paid by an individual for himself or his dependents during the taxable year. The amount of the annual credit is the least of (i) the actual premiums and contributions paid in the taxable year, (ii) \$1,000, or (iii) the individual's income tax liability for the taxable year. This bill has been incorporated into HB 2600.

Patron - Byron

HB2873 Individual income tax; tax credit for contributions to candidates running for office. Increases from \$25 to \$50 for single filers and from \$50 to \$100 for joint filers the maximum annual amount that may be claimed as tax credit for contributions to candidates running for office.

Patron - Dillard

HB2886 Master Settlement Agreement; deductibility of escrow funds. Provides that the funds nonparticipating manufacturers are required to deposit into escrow pursuant to the Master Settlement Agreement are tax deductible if the manufacturer agrees to (i) release all escrowed funds to the state permanently; or (ii) accept in refund the escrow deposited less an amount commensurate to the tax deductions taken.

Patron - Albo

HB2889 Sales and use tax; commercial and industrial exemptions. Restores the exemption, eliminated by the General Assembly in the 2004 Special Session I, for certain public service corporations, telecommunications companies, and telephone companies.

Patron - Hull

HB2893 Promoting telecommuting; Commonwealth Telework Council; income tax. Establishes the Commonwealth Telework Council to advise Governor on guidelines for telecommuting and participation in alternative work schedules. The Council expires on July 1, 2007.

Patron - Scott, J.M.

HB2914 Income tax; Public/Private Education Investment tax credit. Provides tax credits to businesses and individuals who make contributions to public school foundations and scholarship foundations. The tax credit for a business entity is an amount equal to 25 percent of the contribution to a nonprofit education foundation (public school foundations and scholarship foundations). For individual taxpayers the tax credit is an amount equal to 25 percent of the contribution to a nonprofit education foundation, or the total education expenses paid by the taxpayer for a student who is claimed as a dependent by the individual taxpayer. The amount for the individual taxpayer shall not exceed \$800 annually or \$1,200 for those filing a joint return. The credit would be applicable to taxable years beginning on and after January 1, 2006.

Patron - Saxman

HB2933 Cigarette tax; deduction of bad debts from taxes owed. Permits stamping agents to receive a credit for the cost of the tax stamps on cigarettes they have sold but for which payment is uncollectible.

Patron - O'Bannon

SB694 Sales and use tax exemption; school-related items. Authorizes certain counties and cities by a majority vote of the local governing body to provide an exemption from their local sales and use tax for certain school-related items purchased during a specific one-week period during the end of August each year. The state sales and use tax also would not apply to such school-related items in participating counties and cities. The exempt items are: school supplies, footwear, and clothing where the selling price of each item is \$100 or less. To be eligible a county or city must have a high unemployment

rate and be contiguous to a state, including the District of Columbia, that has a sales tax holiday in effect. In addition, any county or city with a high unemployment rate that is contiguous to such counties and cities would also be eligible for the sales tax holiday. A high unemployment rate is defined as a 10-year average annual unemployment rate greater than five percent. The bill also authorizes dealers in participating counties and cities to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchaser of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner.

Patron - Reynolds

SB698 Income tax deduction; materials used for teaching. Provides an income tax deduction for teachers in the Commonwealth for the costs of teaching materials and supplies that are purchased by a teacher and for which the teacher is not reimbursed. The deduction shall not exceed \$500, and shall not apply if the teacher claimed a deduction for the costs on his federal income tax return. The Department of Taxation is directed to develop guidelines for materials that would qualify for the deduction.

Patron - Potts

SB709 Sales and use tax payments. Eliminates the additional June payment for sales and use taxes required of dealers with taxable sales and purchases of \$1.3 million or greater. This bill contains an emergency clause and incorporates SB 872 and SB 1010.

Patron - Chichester

SB720 Food and beverage tax levy without referendum; Giles County. Permits Giles County to levy a food and beverage tax by adoption of local ordinance, instead of by referendum.

Patron - Edwards

SB734 Income taxes; payments to producers of quota tobacco and tobacco quota holders. Provides a subtraction from income in computing individual and corporate income taxes for payments to producers of quota tobacco and tobacco quota holders pursuant to the American Jobs Creation Act of 2004.

Patron - Reynolds

SB736 Estate tax. Exempts from the estate tax (i) all estates where the majority of assets are an interest in a closely held business, including working farms, and (ii) all estates where the gross estate is worth \$10 million or less.

Patron - Reynolds

SB737 Tangible personal property tax relief. Amends the personal property tax relief program effective January 1, 2006, by (i) providing that reimbursements to localities will be paid in 12 equal monthly installments beginning with the month of May each year, (ii) requiring localities to provide personal property tax relief on qualifying vehicles in an equitable manner, and (iii) providing that the Comptroller shall determine reimbursement payments to localities no later than April 30, 2006. Under current law, (i) reimbursement payments to localities shall be made over the 12-month period beginning with the month of July, (ii) localities are required to provide personal property tax relief through one or more tax rates that are lower than the tax rate applicable to the general class of tangible personal property, and (iii) the Comptroller shall determine reimbursement payments to localities no later than March 1, 2006.

Patron - Reynolds

SB751 Sales and use taxes, food purchased for human consumption. Provides that the retail sales and use tax on food purchased for human consumption shall be imposed at a rate of 2.5 percent on and after July 1, 2005 (1.5 percent state and 1 percent local). Current law provides that the sales and use tax on food shall be imposed at a rate of 3.5 percent beginning July 1, 2005; 3 percent beginning July 1, 2006; and 2.5 percent beginning July 1, 2007. The bill accelerates the tax relief. This bill has been incorporated into SB 708.

Patron - Edwards

SB755 Local meals tax; Washington County. Adds Washington County to those counties that are authorized to impose a meals tax up to four percent upon a public hearing and unanimous approval by the local governing body of the locality. In general, counties may impose a local meals tax upon approval by referendum. However, several counties have been authorized to impose a meals tax upon a public hearing and unanimous approval by the local governing body. The bill also makes corrections to the technical changes made in the 2004 Session that replaced indirect references to counties (e.g. population brackets) with the names of the counties for the transient occupancy taxes and the food and beverage taxes. Specifically, the bill adds counties that had grown into population brackets before the technical changes became effective, and are imposing the tax.

Patron - Wampler

SB759 Sales and use taxes from watercraft; City of Hampton. Dedicates for recreational and environmental projects in the City of Hampton 2 percent of the 3.5 percent state general sales tax revenues and all of the watercraft sales tax revenues from the sales of boats taking place in the City and from sales made by boating businesses located in the City, which revenues are in excess of such revenues actually collected during the Commonwealth's fiscal year ending June 30, 2003.

Patron - Locke

SB769 Individual income tax deductions; Internal Revenue Code § 529 qualified tuition programs. Provides the same income tax deductions that are currently available for contributions to the Virginia College Savings Plans to contributions to any other tuition program that qualifies under § 529 of the Internal Revenue Code.

Patron - Bell

SB781 Reimbursement of tangible personal property taxes. Provides that a locality's share of the reimbursement from the Commonwealth for personal property tax relief will be determined based on the total billings of the locality for the calendar year 2005 as compared to the total billings of all localities for the same calendar year.

Patron - Mims

SB872 Sales and use tax payments. Eliminates the additional June payment for sales and use taxes required of dealers with taxable sales and purchases of \$1.3 million or greater. This bill has been incorporated into SB 709.

Patron - Cuccinelli

SB907 Estate tax. Conforms the amount of Virginia estate tax due from an estate to the maximum amount of the federal estate tax credit for state estate taxes. Under current state law the amount of Virginia estate tax cannot be less than the federal credit under federal law as federal law existed on January 1, 1978. Because under current federal law there is no

federal estate tax credit for state estate taxes, the bill effectively eliminates the Virginia estate tax.

Patron - Norment

SB917 Sales and use tax exemption; commercial and industrial exemptions. Provides a sales and use tax exemption for personal property purchased by a contractor and used solely in any construction project for a local school division.

Patron - Blevins

SB920 Local recordation fee. Allows cities and counties to impose a fee not to exceed \$250 on certain recorded instruments that are subject to the state recordation tax. The fee will be paid by the grantor and will only be allowed in localities having a growth rate in K through 12 school-age population of one-half percent over the previous three years combined growth rate. Also, affordable housing is exempt from the fee. The revenues generated by the fee are to be used by the locality for public school capital projects.

Patron - Blevins

SB946 Sales and use tax exemption; school supplies, clothing and footwear, and computers. Provides a sales and use tax exemption for certain school supplies, clothing and footwear, and computers purchased during a four-day period each year beginning on the Friday before the first Monday in September. The exempt items are: each article of school supplies with a selling price of \$20 or less, each article of clothing or footwear with a selling price of \$100 or less, and each article of computers or related peripheral equipment with a selling price of \$1,500 or less. The bill also authorizes dealers to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchasers of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner.

Patron - Puckett

SB1010 Sales and use tax payments. Eliminates the additional June payment for sales and use taxes required of dealers with taxable sales and purchases of \$1.3 million or greater. This bill has been incorporated into SB 709.

Patron - Hanger

SB1011 Property taxes; generating equipment of electric suppliers. Provides that generating equipment of electric suppliers utilizing wind turbines shall be taxed at a rate or rates that when applied to assessed value would generate an amount of revenue approximately equal to \$3,000 per megawatt of the nameplate production capacity. The bill has an effective date of January 1, 2006.

Patron - Hanger

SB1028 Sales and use tax exemption; school-related items and clothing. Beginning in 2005, provides a sales and use tax exemption for certain school-related items purchased during a specific three-day period toward the end of August each year. The exempt items are school supplies, footwear, and clothing where the selling price of each item is \$100 or less.

Patron - Newman

SB1038 State cigarette tax; distribution of revenues. Provides that one cent of the 30 cents per pack cigarette tax effective July 1, 2005, shall be deposited into the Uninsured Medical Catastrophe Fund. Currently, all of the revenue from the state cigarette tax is deposited into the Virginia Health Care Fund.

Patron - Ruff

SB1041 Income tax; employer provided long-term care insurance tax credit. Grants an income tax credit to business taxpayers that provide long-term care insurance for employees. The annual credit allowed is 10 percent of the costs of the long-term care insurance premiums but no more than (i) a total of \$5,000 or (ii) \$100 per employee, whichever is less.

Patron - Lambert

SB1042 Local real estate tax exemption and deferral programs. Authorizes localities to establish a sliding scale for the total combined income and net combined financial worth limitations based upon the number of years the qualifying owner resided in the locality and paid real estate taxes.

Patron - Quayle

SB1046 Local business license fees and taxes. Requires localities to impose the flat license fees now authorized by current law on all businesses or no businesses. If such fees are imposed, then in calculating any license tax that is imposed on gross receipts, the locality must deduct from such gross receipts the threshold amount of gross receipts on which it imposes the tax.

Patron - Wagner

SB1099 Sales tax on motor fuels. Increases from two to four percent the sales tax on fuels in every county or city situated in the Northern Virginia Transportation District.

Patron - Whipple

SB1102 Transient occupancy tax; Arlington County. Extends to January 1, 2009, the time during which Arlington County may collect an additional transient occupancy tax of one-fourth of one percent. Current law would end the collection of the additional tax on January 1, 2006.

Patron - Whipple

SB1116 Sales and use tax exemption; telecommunications companies. Effective July 1, 2006, restores the sales and use tax exemption for telecommunication companies that was eliminated in the 2004 Special Session I.

Patron - Norment

SB1126 Individual income taxes; tax credits for tuition expenses. Establishes a pilot program for refundable income tax credits for tuition and textbook expenses charged by a private school or a public school to parents of certain children. The credit is the lesser of \$1,000 or actual tuition expenses for taxable years beginning January 1, 2005, and is limited to low income taxpayers in counties with a population less than 10,000. For purposes of public school funding, a child for whom credit is taken will be included in the average daily membership of the school division in which the child resides, but the amount of the credit taken will be deducted from the state funds available to that school division. The tax credit will expire on January 1, 2009.

Patron - Obenshain

SB1135 Streamlined Sales and Use Tax Agreement. Conforms the Commonwealth's sales and use tax laws to the provisions of the Streamlined Sales and Use Tax Agreement.

Patron - Hanger

SB1137 Local cigarette taxes. Allows counties to impose a local cigarette tax at the state cigarette tax per pack, which is \$0.30 per pack on and after July 1, 2005. The cigarette tax imposed by a city or town shall not exceed \$0.30 per pack, unless the city or town had a higher rate in effect on December

1, 2004, in which case the city or town may impose a cigarette tax at that rate but not higher.

Patron - Hanger

SB1138 Estate tax. Conforms the amount of Virginia estate tax due from an estate to the maximum amount of the federal estate tax credit for state estate taxes. Under current state law the amount of Virginia estate tax cannot be less than the federal credit under federal law as federal law existed on January 1, 1978. Because under current federal law there is no federal estate tax credit for state estate taxes, the bill effectively eliminates the Virginia estate tax.

Patron - Hanger

SB1142 Recordation taxes; transfer to Virginia Water Quality Improvement Fund. Provides that \$20 million of recordation taxes collected each year shall be transferred to the Virginia Water Quality Improvement Fund. The Comptroller shall credit the \$20 million to the Fund after allocations have been made for the \$40 million deposit to the U.S. Route 58 Corridor Development Fund and the \$40 million distribution to counties and cities, as currently required under law.

Patron - Hanger

SB1186 Individual income tax; age deduction. Provides a \$6,000 individual income tax deduction in 2005 and 2006 for any person who turned 62 during calendar year 2004. Under current law, a person would have had to turn 62 by January 1, 2004, to be eligible for the \$6,000 age deduction.

Patron - Puller

SB1193 Sales and use taxes, reduction of rate on food purchased for human consumption. Provides that the retail sales and use tax on food purchased for human consumption shall be imposed at a rate of 2.5 percent on and after July 1, 2005 (1.5 percent state and 1 percent local). Current law provides that the sales and use tax on food shall be imposed at a rate of 3.5 percent beginning July 1, 2005; 3 percent beginning July 1, 2006; and 2.5 percent beginning July 1, 2007. The bill accelerates the tax relief. This bill has been incorporated into SB 708.

Patron - Potts

SB1204 Cigarette excise tax. Imposes an excise tax on cigarette manufacturers at a rate of \$0.02 for each of the manufacturer's cigarettes sold in the Commonwealth. A cigarette manufacturer may claim as credit against any excise tax due (i) the Commonwealth's share of the manufacturer's contributions under the Master Settlement Agreement or (ii) for nonparticipating manufacturers, the net escrow deposits made each year for the manufacturer's cigarettes sold in the Commonwealth. The tax shall be effective beginning with the 2005 calendar year.

Patron - Mims

SB1224 Personal property tax relief. Eliminates reimbursement payments from the Commonwealth to local governments for providing tangible personal property tax relief on personal-use motor vehicles, and provides for tangible personal property tax relief on such motor vehicles by reducing the state retail sales and use taxes and permitting counties and cities that provide tangible personal property tax relief as authorized to increase their local sales and use tax rate. Subject to the passage of a Constitutional amendment, the bill permits local governments to exempt from tangible personal property tax up to the first \$20,000 of market value of personal-use vehicles. A county or city that exempts between \$7,000 and \$14,000 of value may increase its local sales and use tax rate from one percent to one and one-half percent, and a county or city that exempts the first \$14,000 of value may increase its

local sales and use tax rate from one percent to two percent. The additional sales and use tax shall not apply to food purchased for human consumption. Any town providing personal property tax relief that is located in a county that provides personal property tax relief shall share in any additional sales and use tax revenues. The state retail sales and use tax is reduced from four percent to three percent to account for the potential one percent increase in the local retail sales and use tax. The bill is effective January 1, 2008.

Patron - Bell

SB1239 Income tax deduction; materials used for teaching. Provides an income tax deduction for teachers for the costs of teaching materials, computer equipment, and supplies that are purchased by the teacher and for which the teacher is not reimbursed. The deduction shall not exceed \$250 per year and shall not apply if the teacher claimed a deduction for the costs on his federal income tax return. The Department of Taxation is directed to develop guidelines for materials that would qualify for the deduction.

Patron - Potts

SB1244 Individual income tax; tax credit for contributions to candidates running for office. Increases from \$25 to \$50 for single filers and from \$50 to \$100 for joint filers the maximum annual amount that may be claimed as tax credit for contributions to candidates running for office.

Patron - Devolites Davis

SB1255 Income tax; tax credit for health insurance premiums and health saving accounts contributions paid by employers. Provides a tax credit to employers who pay at least one-half of the annual health insurance premium per employee or make contributions equal to one-half of an employee's health savings accounts. The amount of the credit is the lesser of \$500 or the amount paid per employee. In addition, a credit equal to the lesser of \$100 or the amount paid for the health insurance premium for one dependent of each employee shall be allowed to employers. The credits are available to employers with 50 or fewer full-time employees.

Patron - Lambert

SB1263 Income tax; tax credit for certain health care practitioners. Provides an income tax credit to health care practitioners who provide free medical services to indigent persons. The amount of the credit is equal to 25 percent of the fee the practitioner would charge for the service, not to exceed \$3,000 annually for any practitioner. The credit would be available for taxable years beginning on or after January 1, 2006.

Patron - Potts

SB1303 Tax information; confidentiality exception. Provides an exemption to the general prohibition on the disclosure of tax information for General Assembly members who seek tax information regarding a constituent at the request of the constituent.

Patron - Bolling

SB1325 Transportation. Beginning with the 2006-2007 fiscal year dedicates all revenues from the insurance license tax on automobile premiums to the Priority Transportation Fund. The bill repeals the dedication of one-third of the revenues from the license tax on insurance companies to the Priority Transportation Fund effective July 1, 2005. The bill also provides that all moneys in the Commonwealth Transportation Fund, Transportation Trust Fund, and the Highway Maintenance and Operating Fund shall be used for transportation-related purposes and that moneys designated for deposit into the general fund shall not be used for transportation with

limited exceptions. This bill has been incorporated into SB 1324.

Patron - Chichester

SB1335 Communications tax reform. Completely revises the taxation of communications services as follows: Applies a statewide communications sales and use tax to retail communication and video services on a competitively neutral basis. The communications sales and use tax rate will be 5% on the following: Local ExchangePaging Inter-ExchangeCable Television (Both Interstate and Intrastate) Satellite Television WirelessVoice over the Internet (VoIP) A \$0.75 "911 Tax" will be applied to each local exchange line (landline) and the current \$0.75 "911 Fee" will continue to be applied to each wireless number. The state communications sales and use tax and state 911 fees and taxes replace the following currently billed taxes: Local Consumer Utility Tax (LCUT) Local Gross Receipts Tax (BPOL) - (Only the portion above 0.5% currently billed to customers, where applicable) Local E-911 Virginia Relay Fee Cable Franchise Fee A statewide Rights-of-Way Use Fee will be applied to all cable TV service lines as is currently applied on all local exchange telephone lines. The rate of the fee will be the same as determined annually by the Virginia Department of Transportation in accordance with § 56-468.1 of the Virginia Code. The sales and use tax, 911 tax and the cable rights-of-way fee assessed on consumers of video services from a single provider will be remitted to the Virginia Department of Taxation who will administer the distribution of the Communications Sales and Use Tax Trust Fund within 30 days of receipt of the collections for a given month. The rights-of-way use fee assessed on consumers of both cable video services and voice services from a single provider will be remitted in accordance with § 56-468.1 (I). 911 Fees will be remitted directly to the Wireless 911 Board for administration. The redistribution of taxes and fees is intended to be revenue neutral to localities and the Wireless 911 Board and shall cover the current cost of the Virginia Relay Center.

Patron - O'Brien

Trade and Commerce

Passed

HB2033 Semiconductor manufacturing performance grants. Updates the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program to make a qualified manufacturer eligible for total grant payments of up to \$27 million if certain investment and job creation criteria are met. The measure also updates the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program II to make a qualified manufacturer eligible for grant payments of (i) \$15 million if \$1.1 billion of new capital investment is made by January 1, 2007, that results in the creation of a new manufacturing module in Henrico County; (ii) \$35 million if an additional 1,000 new full-time jobs are created by January 1, 2008; and (iii) \$5 million if 200 new full-time jobs are created by January 1, 2009.

Patron - Miles

HB2055 Virginia Telephone Privacy Protection Act; telephone solicitation. Provides that telephone solicitors using a version of the National Do Not Call Registry obtained from their administrator no more than 31 days prior to the date of a telephone solicitation call constitutes a reasonable practice and procedure to effectively prevent telephone solicitation calls that would violate the Virginia Telephone Privacy Protection Act. The establishment and implementation of reasonable

practices and procedures to effectively prevent such telephone solicitation calls is an affirmative defense to an action claiming a violation of the Act. Currently, such defense is available to telephone solicitors that use a version of the National Do Not Call Registry obtained within three months preceding the date of the call. Reducing the period from three months to 31 days makes the Act consistent with federal regulations.

Patron - Nixon

HB2130 Purchase of handguns by certain law-enforcement officers. Allows certain law-enforcement agencies to sell service handguns to its current law-enforcement officers when the agency has purchased new service handguns and the handguns subject to sale are no longer used in the course of duty.

Patron - Gear

HB2218 Gift certificates; disclosures; penalty. Requires a gift certificate issued by a merchant in Virginia to have permanently affixed to it either an expiration date for the certificate or electronic card or a telephone number or Internet address at which information about the certificate's expiration and any diminution in value over time may be obtained. A violation of the disclosure requirement is a prohibited practice under the Virginia Consumer Protection Act. This bill is identical to SB 1241.

Patron - Albo

HB2286 Extended Service Contract Act. Increases the fee for registering or renewing a registration under the Extended Service Contract Act from \$100 to \$300. The measure also imposes late fees of \$100 per 30-day period or portion thereof that an obligor is late in registering and \$50 per 30-day period or portion thereof that an obligor is late in renewing its registration. A registration or renewal is not to be considered filed until all required information and fees are submitted. Finally, the measure specifies that registrations be renewed annually on July 1.

Patron - Brink

HB2470 Uniform Electronic Transactions Act; local constitutional officers. Includes locally elected constitutional officers in the definition of public body for purposes of the Uniform Electronic Transactions Act.

Patron - May

HB2482 Personal Information Privacy Act; restricting the use of social security numbers. Prohibits any person from (i) intentionally communicating an individual's social security number to the general public; (ii) printing an individual's social security number on any card required for the individual to access or receive products or services; (iii) requiring an individual to use his social security number to access an Internet website, unless an authentication device is also required; or (iv) mailing a package with the social security number visible from the outside. The bill exempts public bodies and public records. A violation is a prohibited practice under the Virginia Consumer Protection Act. The measure also requires the state employee's health insurance plan to use identification numbers that are not the employee's social security number.

Patron - May

HB2570 Enterprise zones. Establishes new processes and procedures relative to enterprise zones. The bill's effective date is July 1, 2005. This bill is identical to SB 983.

Patron - Dudley

SB707 Influenza vaccine price gouging; penalties. Prohibits any person from selling or administering influenza

vaccine at unconscionable prices during periods when the Governor has declared that an influenza vaccine shortage exists. To determine whether the price of vaccine is unconscionable, the court must consider, among other factors, whether the price charged during the time of the declared shortage grossly exceeded the price at which the vaccine was readily obtainable during the 10 days prior to the declared shortage period. A violation constitutes a prohibited practice under the Virginia Consumer Protection Act, though aggrieved persons will not be able to assert a private cause of action.

Patron - Puller

SB912 Virginia Consumer Protection Act; fees and costs upon settlement. Provides that if the parties wish to settle a case brought under the Virginia Consumer Protection Act, the court may determine the amount of any award of attorneys' fees or court costs to the plaintiff.

Patron - Norment

SB983 Enterprise zones. Establishes new processes and procedures relative to enterprise zones. The current enterprise zone act expires on July 1, 2005. This bill is identical to HB 2570.

Patron - Watkins

SB1241 Gift certificates; disclosures; penalty. Requires a gift certificate issued by a merchant in Virginia to have permanently affixed to it either an expiration date for the certificate or electronic card or a telephone number or Internet address at which information about the certificate's expiration and any diminution in value over time may be obtained. A violation of the disclosure requirement is a prohibited practice under the Virginia Consumer Protection Act. This bill is identical to HB 2218.

Patron - Devolites Davis

SB1270 Virginia Racing Commission. Clarifies the authority of stewards appointed by the Virginia Racing Commission to enforce and interpret the Commission's regulations. The bill also adds a definition of "participant" and provides that certain individuals associated with a horse that is entered to run in Virginia shall be considered as participants and come under the jurisdiction of the Commission. In addition, the bill (i) provides the authority of the Commission to take disciplinary actions through stewards or at a meeting at which a quorum is present, (ii) clarifies that such disciplinary actions must be determined by a preponderance of the evidence, (iii) requires the Commission's annual report to be filed on or before March 1.

Patron - Norment

Failed

HB1809 Sale of or other traffic in fetal body parts; civil penalty. Makes the sale of or other traffic in fetal body parts a prohibited business practice. Violators of the statute may be assessed a \$1,000 civil penalty per fetal body part sold or otherwise trafficked but are not subject to criminal prosecution.

Patron - Marshall, R.G.

HB1835 Horse racing; local referenda for race-tracks and satellite facilities. Increases from three to 10 the number of years between local referenda that may be held for approval of a racetrack or satellite facility.

Patron - Parrish

HB1952 Enterprise zones; extension of authority. Extends the expiration date for the statutes governing enter-

prise zones and extends the 20-year time limitation for selected enterprise zones by two years. The provisions extending the 20-year time limitation are made retroactive to January 1, 2005. This bill has been incorporated into HB 2207.

Patron - Kilgore

HB1964 Enterprise zones; extension of authority. Extends the expiration date for the statutes governing enterprise zones and extends the 20-year time limitation for selected enterprise zones by two years. The provisions extending the 20-year time limitation are made retroactive to January 1, 2005. This bill has been incorporated into HB 2207.

Patron - Ingram

HB2001 Enterprise zones. Extends the expiration deadline for enterprise zones by one year, from July 1, 2005, to July 1, 2006. This bill has been incorporated into HB 2207.

Patron - Dudley

HB2181 Virginia Consumer Protection Act; return of goods. Makes it a prohibited practice under the Virginia Consumer Protection Act for a supplier of goods to fail to disclose, on a sign attached to the goods or placed in a conspicuous area, that it limits the number or frequency of returns, exchanges, or credits for return of goods. The details of the supplier's return policy must be made available to the customer upon request.

Patron - Tata

HB2207 Trade and commerce; enterprise zones. Extends the sunset provision of the Enterprise Zone Act to expire July 1, 2007, and changes the "qualified zone resident" definition to eliminate the requirement that the owner or tenant of the property actually conduct the business. This bill incorporates HB 1952, HB 1964, HB 2001, and HB 2279.

Patron - Marrs

HB2279 Enterprise zones; extension of authority. Extends the expiration date for the statutes governing enterprise zones and extends the 20-year time limitation for selected enterprise zones by two years. The provisions extending the 20-year time limitation are made retroactive to January 1, 2005. This bill has been incorporated into HB 2207.

Patron - Spruill

HB2285 Unsolicited transmission of advertising materials by facsimile machine; identification of sender. Requires senders of advertising material by facsimile to include on the transmission the date and time of the transmission, the name of the person or entity sending the message and the telephone number of the sending machine of such person or entity.

Patron - Brink

HB2350 Virginia Consumer Protection Act; prohibited practices; performing abortion services. Provides that abortion services are consumer transactions subject to the provisions of the Virginia Consumer Protection Act, and declares that the performance of an abortion under specified circumstances is unlawful. Prohibited acts or practices include performing abortions at facilities that do not comply with requirements relating to facility cleanliness, sterilization, fire protection, evacuation, staff credentials, equipment, maintenance of facilities and equipment, and allowable procedures, and facility procedures and policies.

Patron - Marshall, R.G.

HB2351 Public procurement; SWAM businesses. Requires that each public body's program to facilitate the participation of small, women- and minority-owned (SWAM)

businesses in procurement transactions include a goal that 40 percent of the public body's procurement expenditures be for transactions with SWAM businesses. To count toward meeting this goal, the SWAM business must be certified by the Department of Minority Business Enterprise. Public bodies are required to file annual reports detailing efforts to meet the goal of 40 percent SWAM business procurement.

Patron - Marshall, R.G.

FHB2352 Virginia Consumer Protection Act; prohibited practices; abortions. Declares that performing an abortion, or allowing an abortion to be performed, by a physician who does not have admitting privileges at a nearby hospital, is an unlawful practice committed in connection with a consumer transaction. The measure also declares that it is an unlawful practice committed in connection with a consumer transaction if a physician fails to screen the patient for risk factors that would indicate whether the patient is susceptible to physical or psychological complications.

Patron - Marshall, R.G.

FHB2467 Online dating safety; penalty. Requires online dating services to conduct criminal background checks on its members and make specific disclosures and warnings. Aggrieved parties and the Attorney General can bring actions for damages. In addition, this bill makes violations Class 4 misdemeanors. Services that conduct criminal background checks are immune from liability under the provisions of this bill.

Patron - May

FHB2593 Horse racing; local referenda for race-tracks and satellite facilities. Increases from three to 10 the number of years between local referenda that may be held for approval of a racetrack or satellite facility.

Patron - Weatherholtz

FHB2721 Government Data Collection and Dissemination Practices Act; Personal Information Privacy Act; notice of database breaches. Requires agencies and businesses that maintain computerized data that includes personal information to notify the subject of that information when a breach of the database containing that information is discovered. No notice is required if an investigation determines that there is no reasonable belief that the information has been or will be used in an unlawful manner. The bill provides for various means of notifying the owner or licensee of that information and requires the agency or business to coordinate notification with consumer reporting agencies if they indicated that the affected individual can obtain a credit report. Damages for an agency violating this requirement are provided in the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.). Damages for a business violating this requirement are provided in the Personal Information Privacy Act or PIPA (§ 59.1-442 et seq.). The bill expands the damages available for violations of PIPA to include actual damages, if greater than \$100 per violation, and injunctive relief.

Patron - Scott, J.M.

F SB733 Enterprise zones; extension of authority. Extends the expiration date for the statutes governing enterprise zones and extends the 20-year time limitation for selected enterprise zones by two years. The provisions extending the 20-year time limitation are made retroactive to January 1, 2005.

Patron - Reynolds

F SB735 Enterprise zone designations. Allows one enterprise zone in any county, city, or town to consist of three noncontiguous zone areas. Currently, one enterprise zone may

consist of two noncontiguous zone areas. The bill also extends the expiration of the Enterprise Zone Act from July 1, 2005, to July 1, 2010.

Patron - Reynolds

F SB848 Enterprise zones; extension of authority. Extends the expiration date for the statutes governing enterprise zones and extends the 20-year time limitation for selected enterprise zones by two years. The provisions extending the 20-year time limitation are made retroactive to January 1, 2005.

Patron - Quayle

F SB1182 Enterprise zones; extension of authority. Extends the expiration deadline for enterprise zones by two years, from July 1, 2005, to July 1, 2007.

Patron - Rerras

F SB1336 Health; price gouging of vaccines; penalties. Adds vaccine to the definition of "necessary goods and services" and thereby prohibits fraudulent consumer transactions in which a supplier engages in price gouging of any vaccine when such vaccines are in high demand. The bill further prohibits any person from selling or administering vaccine at unconscionable prices during periods when the Governor has declared that a vaccine shortage exists. To determine whether the price of vaccine is unconscionable, the court must consider, among other factors, whether the price charged during the time of the declared shortage grossly exceeded the price at which the vaccine was readily obtainable during the 10 days prior to the declared shortage period. A violation constitutes a prohibited practice under the Virginia Consumer Protection Act, though aggrieved persons will not be able to assert a private cause of action.

Patron - Rerras

Unemployment Compensation

Passed

P HB2050 Unemployment compensation; minimum earnings; maximum weekly benefit. Increases from \$2,500 to \$2,700 the wages an employee must have earned in the two highest earnings quarters of his base period (the first four of the five calendar quarters preceding application for benefits) in order to be eligible for unemployment compensation benefits, and increases the maximum weekly benefit from \$326 to \$330.

Patron - Nixon

P HB2137 Unemployment compensation; state unemployment tax dumping; penalties. Establishes the civil and criminal penalties that shall be assessed against, and the unemployment compensation tax rates that shall apply to, persons who transfer any trade or business to another where at the time of transfer there is substantially common ownership, management, or control of the trade or business and the sole or primary purpose of the transfer is to obtain a lower unemployment tax rate. Provisions prohibiting such transfers of a trade or business and imposing penalties will become effective in the first rate year as set forth in federal law. This bill is identical to SB 1201.

Patron - Purkey

P HB2371 Unemployment compensation; misconduct; chronic absenteeism. Provides that chronic absenteeism

is one form of misconduct that may result in disqualification for unemployment compensation benefits.

Patron - Bryant

P HB2416 Unemployment compensation; obsolete references. Replaces obsolete references to Operation Desert Shield and Operation Desert Storm with a broad reference to “international conflict,” and removes a reference to a repealed Code section.

Patron - Armstrong

P HB2840 Unemployment compensation; wage offsets. Increases the cap on allowable weekly wages for eligible individuals prior to benefit offset from \$25 to \$50.

Patron - Keister

P SB128 Unemployment compensation; offset for retirement benefits. Eliminates the offset for Social Security or Railroad Retirement Act benefits during periods when the unemployment trust fund has a solvency level of 50 percent or more. When the trust fund’s solvency level is below 50 percent, weekly unemployment benefits will continue to be reduced by 50 percent of the amount of such retirement benefits.

Patron - Watkins

P SB799 Unemployment compensation; obsolete benefit tables. Removes from the Code obsolete benefit tables.

Patron - Watkins

P SB1047 Unemployment compensation; independent contractor. Requires the Commission to use the 20-factor test set forth in an Internal Revenue Service Revenue Ruling in determining whether an individual is an employee for purposes of the Virginia Unemployment Compensation Act.

Patron - Wagner

P SB1112 Unemployment compensation; benefits charging; disasters. Strikes the requirement, for the purposes of assigning to the pool the charges associated with a claimant who qualifies for unemployment compensation due to a disaster-related business closure, that the claimant returned to his job once the business reopened.

Patron - Blevins

P SB1201 Unemployment compensation; state unemployment tax dumping; penalties. Establishes the civil and criminal penalties that shall be assessed against, and the unemployment compensation tax rates that shall apply to, persons who transfer any trade or business to another where at the time of transfer there is substantially common ownership, management, or control of the trade or business and the sole or primary purpose of the transfer is to obtain a lower unemployment tax rate. Provisions prohibiting such transfers of a trade or business and imposing penalties will become effective in the first rate year as set forth in federal law. This bill is identical to HB 2137.

Patron - Miller

P SB1276 Disclosure of wage information to consumer reporting agencies. Authorizes the Virginia Employment Commission to release individual wage information, provided in employers’ quarterly wage reports, to consumer reporting agencies if the individual consents in writing. The released information is to be used only to verify the accuracy of wage or employment information provided by the individual in connection with a specific transaction. Fees received by the Commission from a credit reporting agency will be deposited

in the Special Unemployment Compensation Administration Fund.

Patron - Watkins

Failed

F HB1491 Unemployment compensation; quit to follow military spouse. Provides that good cause for leaving employment exists if an employee voluntarily leaves a job to accompany his spouse, who is an enlisted person on active duty in the military or naval services of the United States in pay grades E-1 through E-8, to a new military assignment from which the employee’s place of employment is not reasonably accessible. Benefits paid to qualifying claimants shall be charged against the pool rather than against the claimant’s employer. The provisions of this bill shall expire on July 1, 2007.

Patron - Tata

F HB1495 Unemployment compensation; quit to follow military spouse. Provides that good cause for leaving employment exists if an employee voluntarily leaves a job to accompany his spouse, who is an enlisted person on active duty in the military or naval services of the United States in pay grades E-1 through E-8, to a new military assignment from which the employee’s place of employment is not reasonably accessible. Benefits paid to qualifying claimants shall be charged against the pool rather than against the claimant’s employer. The provisions of this bill shall expire on July 1, 2007.

Patron - Tata

F HB1700 Unemployment compensation; quit to follow military spouse. Provides that good cause for leaving employment exists if an employee voluntarily leaves a job to accompany his spouse, who is an enlisted person on active duty in the military or naval services of the United States, to a new military assignment (i) from which the employee’s place of employment is not reasonably accessible, and (ii) which is located in a state that, pursuant to statute, does not deem a person accompanying a military spouse as a person leaving work voluntarily without good cause. Benefits paid to qualifying claimants shall be charged against the pool rather than against the claimant’s employer. The provisions of this bill shall expire on July 1, 2007.

Patron - Tata

F HB1908 Employment training and unemployment compensation benefits; military personnel, spouses and dependents. Modifies Virginia’s job training and unemployment compensation programs and resources to make them more accessible to military personnel and their families. The Virginia Workforce Council shall establish an employment advocacy and assistance program to assist spouses and dependents of active duty military personnel, Virginia National Guard members, and military reservists. Assistance shall be delivered through military family employment advocates located at selected one-stop centers. Local workforce investment boards (WIBs) shall include one representative from any military base having more than 100 military personnel that is located within the WIB’s service area. For purposes of unemployment compensation, good cause for leaving employment exists if an employee voluntarily leaves a job to accompany a spouse who is (i) on active duty in the military services of the United States, (ii) in the Virginia National Guard, or (iii) a military reservist to a new military assignment resulting from a permanent change of station orders, activation orders, or unit deployment orders, if the employee’s place of employment is not reasonably accessible from the new residence. Benefits

paid to qualifying claimants shall be charged against the pool rather than against the claimant's employer.

Patron - Baskerville

FHB2693 Unemployment compensation; termination by reimbursable employer for misconduct. Provides that benefits based on service with a reimbursable employer shall not be paid to a claimant where the claimant was terminated for misconduct in relation to his work and allows a reimbursable employer to contest the claim for benefits even though the reimbursable employer does not qualify as the last 30-day employer. These provisions are not applicable to reimbursable employers who also are the last 30-day employer given the ability of such employers under current law to contest claims for unemployment compensation on the basis of claimant misconduct.

Patron - Pollard

F SB772 Unemployment compensation; base period; minimum earnings. Provides that an individual earning at least \$2,500 but less than \$3,500.01 in his base period shall be eligible to qualify for unemployment compensation benefits only if he had earnings of at least \$1,250 in each of two quarters in his base period.

Patron - Bell

F SB1055 Unemployment compensation; minimum earnings. Increases from \$2,500 to \$3,500 the wages an employee must have earned in the two highest earnings quarters of his base period (the first four of the five calendar quarters preceding application for benefits) in order to be eligible for unemployment compensation benefits.

Patron - Wagner

F SB1283 Unemployment compensation reports. Clarifies that the VEC may furnish information to the Commonwealth or its political subdivisions to allow collection of any monetary obligations owed them.

Patron - Saslaw

Waters of the State, Ports and Harbors

Passed

P HB1971 Phosphorous application rates for poultry waste. Changes the standard for the amount of phosphorous from poultry waste that can be applied on farmland. Currently nutrient management plans for poultry waste are to include phosphorous application rates that are equal to the capacity of a crop to remove phosphorous from the soil. This bill requires that phosphorous application rates for nutrient management plans will have to conform to regulatory criteria and standards adopted by the Department of Conservation and Recreation (DCR). The application rates contemplated by DCR would take into account such factors as the soil's phosphorous level, the slope of the land, farming practices, and the proximity of the land to streams.

Patron - Cox

P HB2145 Service charge payments to localities. Provides that local service charge payments imposed on property of the Virginia Port Authority are to be paid by the Authority.

Patron - Joannou

P HB2645 Mapping of wetlands. Directs the State Water Control Board to (i) ensure that beginning on or after January 1, 2007, wetland inventory maps identifying the location of nontidal wetlands maintained by the board be made readily available to the public, (ii) notify the circuit court clerk's office and other appropriate officials in each locality of the availability of the wetland inventory maps, and (iii) request that the locality provide information on the availability of those maps in the location where the land records of the locality are maintained.

Patron - Hurt

P HB2862 Nutrient trading. Establishes a nutrient exchange or trading program that would allow point source dischargers to achieve and maintain compliance with the waste load cap allocations for nitrogen and phosphorous delivered to the Chesapeake Bay and its tidal tributaries. The State Water Control Board would be required to issue a general permit under the Virginia Pollutant Discharge Elimination System to eligible point source dischargers of nitrogen and phosphorous. The facilities that obtain such a permit, and which are interested in participating in the trading program, would be identified together with their individual load cap allocations and trading ratios. The trading association authorized by the bill would provide the mechanism by which those permittees under the general permit would be matched with nutrient trading partners. Within nine months of the issuance of the general permit, the permittees either individually or through the trading association would be required to submit compliance plans to DEQ. The compliance plans would have to include any capital projects and the implementation schedules needed to achieve the nitrogen and phosphorous reductions needed to comply with the waste load allocations for all the permittees in a particular tributary. This bill is identical to SB 1275.

Patron - Bryant

P SB746 Virginia Resources Authority. Expands projects that can be financed through the Authority to include the design and construction of roads, public parking garages and other public transportation facilities, and facilities for public transportation by commuter rail.

Patron - Colgan

P SB1233 Membership of the Ohio River Valley Sanitation Commission. Changes membership of the Ohio River Valley Sanitation Commission. Currently, all three Virginia members of the Commission are members of the State Water Control Board. Under the bill, two of the commissioners will be members of the State Water Control Board and the third will be the Director of the Department of Environmental Quality. The bill also specifies under what circumstances the commissioners can designate someone to represent them and cast a vote on their behalf at a meeting.

Patron - Puckett

P SB1256 Virginia Resources Authority. Authorizes the Virginia Resources Authority to assist in making financing available at federal government facilities in order to support the location and retention of federal facilities in Virginia and the transition of former federal facilities from use by the federal government to other uses.

Patron - Locke

P SB1275 Nutrient trading. Establishes a nutrient exchange or trading program that would allow point source dischargers to achieve and maintain compliance with the waste load cap allocations for nitrogen and phosphorous delivered to the Chesapeake Bay and its tidal tributaries. The State Water Control Board would be required to issue a general permit

under the Virginia Pollutant Discharge Elimination System to eligible point source dischargers of nitrogen and phosphorous. The facilities that obtain such a permit, and which are interested in participating in the trading program, would be identified together with their individual load cap allocations and trading ratios. The trading association authorized by the bill would provide the mechanism by which those permittees under the general permit would be matched with nutrient trading partners. Within nine months of the issuance of the general permit, the permittees either individually or through the trading association would be required to submit compliance plans to DEQ. The compliance plans would have to include any capital projects and the implementation schedules needed to achieve the nitrogen and phosphorous reductions needed to comply with the waste load allocations for all the permittees in a particular tributary. This bill is identical to HB 2862.

Patron - Watkins

Failed

F HB2074 Testing of sewage sludge. Requires localities in which sewage sludge has been applied to the land to test two permitted sites each year. The results of the tests are to be (i) submitted to the agency that issued the permit for the particular site and (ii) made available for public inspection.

Patron - Hogan

F HB2828 Annual wastewater permit maintenance fee. Exempts certain facilities that paid an application fee for a Virginia Pollutant Discharge Elimination System permit between July 1, 2002, and July 1, 2004, from having to pay the annual maintenance fee that was imposed beginning July 1, 2004. In addition, those facilities that are exempted under this bill and that paid the maintenance fee in 2004 would receive one year's credit that would be applied to the renewed permit.

Patron - Orrock

F SB787 Reimbursement of local monitoring of land application of sewage sludge. Provides that localities shall be reimbursed for all direct costs associated with testing and monitoring of the land application of sewage sludge.

Patron - Obenshain

F SB809 Water quality standards. Requires the State Water Control Board, when adopting or revising a water standard or policy, to determine whether the adoption or revision is likely to require significant modifications to a large number of permitted facilities. If the Board finds that there will be impacts from the adoption or revision of a standard or policy, the Board is directed to develop an implementation schedule requiring compliance to the standard or policy as soon as possible. The implementation schedule is to be based on an analysis of certain cost and labor factors affecting the construction of treatment facilities that will be needed to meet the new standards or policies.

Patron - Williams

F SB811 Adopting a chlorophyll standard. Requires the State Water Control Board, when it considers the adoption of a chlorophyll standard or policy, to provide to the committees with jurisdiction over water quality matters a range of alternatives and an analysis of the benefits, detriments, and the economic and social costs associated with each alternative. Currently, in the instance of any proposed water quality standard or policy adopted by regulation that is more restrictive than the federal requirements, the Board has to provide the oversight committees with a reason why the more restrictive provisions are needed.

Patron - Williams

Welfare (Social Services)

Passed

P HB1550 Child Day-Care Council regulations; parental notification when a child is injured. Requires the Board of Social Services and the Child Day-Care Council to review all regulations under their purview regarding child day programs to determine whether they adequately provide for the notification of parents, legal guardians, or other persons duly authorized to pick up a child, in the event a child sustains a significant physical injury while under the program's care. If the regulations are deemed inadequate, then the Board and Council shall adopt regulations that require each program to notify a child's parent, legal guardian, or other person duly authorized to pick up the child from the center whenever any owner, operator, manager, or employee thereof has actual knowledge of a significant physical injury sustained by the child while in attendance. The regulations shall establish notification procedures including the time and manner in which notification shall be made, and the nature and scope of physical injuries that shall require notification.

Patron - Alexander

P HB1761 Food stamp benefits; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance because the person has been convicted of a felony offense of possession of a controlled substance in violation of § 18.2-250, provided such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and any other obligations as determined by the Department. While the Temporary Assistance for Needy Families federal legislation bars food stamps to such persons, the federal law does permit states to opt out of this provision.

Patron - Dillard

P HB1854 Returns, exchanges, or re-dispensing of drugs; exceptions. Authorizes hospitals to enter into voluntary agreements with pharmacies to transfer drugs, upon compliance with various conditions, that have been originally dispensed to hospital patients, but have been returned, and that the drugs may be re-dispensed by the pharmacy to patients of clinics organized in whole or in part for the delivery of health care services without charge or to indigent patients, free of charge.

Patron - Eisenberg

P HB1963 Department and Board of Social Services; current social benefits structure; incentives for the break-up of families. Requires the Department and Board of Social Services to ensure, unless otherwise prohibited by federal law, that Virginia's current social benefits structure does not provide economic or other incentives for the break-up of families, and to eliminate such incentives to the extent possible.

Patron - Jones, D.C.

P HB1969 Child protective services; anonymous complaints. Provides that, upon request, the local department of social services shall advise the person who was the subject of an unfounded child protective services investigation if the complaint or report was made anonymously. However, the identity of a complainant or reporter shall not be disclosed.

Patron - Cox

HB2002 Background checks for foster parents. Authorizes a child-placing agency to approve as a foster parent an applicant with not more than one assault and battery conviction as set out in § 18.2-57 as long as the conviction did not involve abuse, neglect, moral turpitude, or a minor, and provided 10 years have elapsed since the conviction. A nearly identical provision is already in state law for adoptive parents.

Patron - Dudley

HB2036 Long-term care services for older adults. Provides generally that the Commonwealth shall seek to ensure coordinated, effective, and efficient long-term care services to older adults. The bill sets out the policy of the Commonwealth in providing such services.

Patron - Hamilton

HB2041 Neighborhood Assistance Act; tax credits. Increases the maximum tax credit that individuals may receive from \$750 to \$50,000. This bill incorporates HB 1788.

Patron - Hamilton

HB2098 Child day centers; criminal background checks. Provides that a child day center may hire for compensated employment persons who have been convicted of not more than one misdemeanor offense under § 18.2-57 if 10 years have elapsed following the conviction, unless the person committed the offense while employed in a child day center or the object of the offense was a minor.

Patron - Joannou

HB2163 Child protective services; school employees. Provides that if, after an investigation of a child protective services complaint, the local department of social services determines that the actions or omissions of a teacher, principal, or other person employed by a local school board or employed in a school operated by the Commonwealth were within such employee's scope of employment and were taken in good faith in the course of supervision, care, or discipline of students, then the standard in determining if a report of abuse or neglect is founded is whether such acts or omissions constituted gross negligence or willful misconduct. The bill contains technical amendments. This bill is identical to SB 1243.

Patron - Reese

HB2268 Transitional food stamp benefits. Requires the Department of Social Services, to the extent permitted by federal law, to provide transitional food stamp benefits for a period of not more than five months after the date on which Temporary Assistance for Needy Families (TANF) cash assistance is terminated. However, no household shall be eligible for transitional food stamp benefits if TANF cash assistance was terminated because all children in the assistance unit were removed from the home as a result of a child protective services investigation.

Patron - Bell

HB2433 Domestic violence and prevention services. Requires the Department of Social Services to (i) support, strengthen, evaluate, and monitor community-based domestic violence programs funded by the Department and act as the administrator for state grant funds and the disbursement of federal funds, (ii) collaborate with the Statewide Domestic Violence Coalition in developing and implementing community-based programs to respond to and prevent domestic violence, (iii) establish minimum standards of training and provide educational programs to train workers in the fields of child and adult protective services in local departments and community-based domestic violence programs funded by the Department to identify domestic violence and provide effective

referrals for appropriate services, (iv) work with the Statewide Domestic Violence Coalition to implement methods to preserve the confidentiality of all domestic violence services records, (v) work collaboratively with the Statewide Domestic Violence Coalition to operate the Virginia Family Violence and Sexual Assault 24-hour toll-free hotline and the Statewide Domestic Violence Database (Vadata), and (vi) promote inter-agency collaboration and cooperation to facilitate the appropriate response to victims of domestic violence. This bill is identical to SB 1144.

Patron - Hamilton

HB2461 Core licensure of residential facilities for children. Requires the Boards of Education; Mental Health, Mental Retardation and Substance Abuse Services; Social Services; and Juvenile Justice to promulgate regulations that address the services required to be provided in groups homes and other residential facilities for children as they may deem appropriate to ensure the education, health, welfare, and safety of the juveniles (as relevant to the Department). In addition, each board's regulations must include, but need not be limited to (i) specifications for the structure and accommodations of such facilities according to the needs of the juveniles to be placed in the home or facility; (ii) rules concerning allowable activities, local government- and group home- or residential care facility-imposed curfews, and study, recreational, and bedtime hours; and (iii) a requirement that each home or facility have a community liaison who shall be responsible for facilitating cooperative relationships with the neighbors, the school system, local law enforcement, local government officials, and the community at large. This bill is identical to SB 1304.

Patron - Nixon

HB2512 Assisted living facilities; civil penalty. Requires administrators of assisted living facilities, except for those providing residential living care only, to be licensed by the Board of Long-Term Care Administrators within the Department of Health Professions. The bill renames the Board of Nursing Home Administrators as the Board of Long-Term Care Administrators. The Board of Long-Term Care Administrators shall adopt regulations on or before July 1, 2007, and the administrator licensing provisions shall not be implemented or enforced until 12 months after the regulations become effective. The bill permits the Commissioner of the Department of Social Services to issue an order of summary suspension of a license to operate an assisted living facility in cases of immediate and substantial threat to the health, safety, and welfare of residents and increases from \$500 to \$10,000 the maximum civil penalty for an assisted living facility out of compliance with licensure requirements. The bill requires medication aides in assisted living facilities to be registered by the Board of Nursing. The Board of Nursing shall adopt regulations on or before July 1, 2007, and the registration provisions shall not be implemented or enforced until 12 months after the regulations become effective. Regulations for a Medication Management Plan in assisted living facilities are to be developed by the State Board of Social Services, in consultation with the Board of Nursing and the Board of Pharmacy. The bill creates the Assisted Living Facility Education, Training, and Technical Assistance Fund. The bill requires applicants for licensure as an assisted living facility to undergo a background check. The bill also requires each assisted living facility to provide written disclosure documents to residents and their legal representatives, if any, upon admission. Finally, the bill requires the Department for the Aging's contract with the long-term care ombudsman program provide a minimum staffing ratio of one ombudsman to every 2,000 long-term care beds, subject to sufficient funding. Through enactment clauses, the Department of Social Services is charged with developing a

training module for adult care licensing inspectors and integrating into the assisted living facility regulations standards that are consistent with recommendations of the Department of Mental Health, Mental Retardation and Substance Abuse Services to ensure appropriate care for residents with mental illness, mental retardation, substance abuse, and other behavioral disabilities. This bill is identical to SB 1183 and incorporates HB 2150, HB 2362, HB 2537, HB 2545, and HB 2896.

Patron - Hamilton

HB2807 Gastric tube care for residents of assisted living facilities. Allows assisted living facility staff to provide gastric tube care to a resident at his request and when his independent physician determines that it is appropriate if the care is delivered in accordance with regulations of the Board of Nursing for delegation by a registered nurse. Currently, such care may be provided by a licensed physician, nurse, or home care organization.

Patron - Scott, E.T.

SB730 Local boards of social services; member terms of office. Shortens the intervening period during which persons are not eligible to serve on local social services boards from four years to two years after serving two consecutive terms. The bill does not affect any statutory appointment provisions that may exist for counties adopting special forms of government.

Patron - Hawkins

SB854 Adoption and custody. Provides that a birth father's consent to adoption is not necessary if the birth father is convicted in another state, the United States, or any foreign jurisdiction of (i) rape, (ii) carnal knowledge of a child between 13 and 15 years of age, or (iii) adultery or fornication with his mother, daughter or granddaughter. Any person convicted of such crimes in another state, the United States, or any foreign jurisdiction also is excluded from the definition of persons having a legitimate interest in matters involving custody, support, control, visitation or disposition of a child conceived as a result of the violation. Current law addresses these issues only for convictions for offenses committed in Virginia.

Patron - Cuccinelli

SB935 Virginia Caregivers Grant Program. Extends the period for which grants under the Virginia Caregivers Grant Program can be provided from December 31, 2005, to December 31, 2010. The Virginia Caregivers Grant Program provides a \$500 grant to individuals who provide care to a physically or mentally impaired relative who requires assistance with two or more activities of daily living during more than half the year.

Patron - Stosch

SB1144 Domestic violence and prevention services. Requires the Department of Social Services to (i) support, strengthen, evaluate, and monitor community-based domestic violence programs funded by the Department and act as the administrator for state grant funds and the disbursement of federal funds, (ii) collaborate with the Statewide Domestic Violence Coalition in developing and implementing community-based programs to respond to and prevent domestic violence, (iii) establish minimum standards of training and provide educational programs to train workers in the fields of child and adult protective services in local departments and community-based domestic violence programs funded by the Department to identify domestic violence and provide effective referrals for appropriate services, (iv) work with the Statewide Domestic Violence Coalition to implement methods to preserve the confidentiality of all domestic violence services records, (v) work collaboratively with the Statewide Domestic

Violence Coalition to operate the Virginia Family Violence and Sexual Assault 24-hour toll-free hotline and the Statewide Domestic Violence Database (Vadata), and (vi) promote inter-agency collaboration and cooperation to facilitate the appropriate response to victims of domestic violence. This bill is identical to HB 2433.

Patron - Deeds

SB1183 Assisted living facilities; civil penalty. Requires administrators of assisted living facilities, except for those providing residential living care only, to be licensed by the Board of Long-Term Care Administrators within the Department of Health Professions. The bill renames the Board of Nursing Home Administrators as the Board of Long-Term Care Administrators. The Board of Long-Term Care Administrators shall adopt regulations on or before July 1, 2007, and the administrator licensing provisions shall not be implemented or enforced until 12 months after the regulations become effective. The bill permits the Commissioner of the Department of Social Services to issue an order of summary suspension of a license to operate an assisted living facility in cases of immediate and substantial threat to the health, safety, and welfare of residents and increases from \$500 to \$10,000 the maximum civil penalty for an assisted living facility out of compliance with licensure requirements. The bill requires medication aides in assisted living facilities to be registered by the Board of Nursing. The Board of Nursing shall adopt regulations on or before July 1, 2007, and the registration provisions shall not be implemented or enforced until 12 months after the regulations become effective. Regulations for a Medication Management Plan in assisted living facilities are to be developed by the State Board of Social Services, in consultation with the Board of Nursing and the Board of Pharmacy. The bill creates the Assisted Living Facility Education, Training, and Technical Assistance Fund. The bill requires applicants for licensure as an assisted living facility to undergo a background check. The bill also requires each assisted living facility to provide written disclosure documents to residents and their legal representatives, if any, upon admission. Finally, the bill requires the Department for the Aging's contract with the long-term care ombudsman program provide a minimum staffing ratio of one ombudsman to every 2,000 long-term care beds, subject to sufficient funding. Through enactment clauses, the Department of Social Services is charged with developing a training module for adult care licensing inspectors and integrating into the assisted living facility regulations standards that are consistent with recommendations of the Department of Mental Health, Mental Retardation and Substance Abuse Services to ensure appropriate care for residents with mental illness, mental retardation, substance abuse, and other behavioral disabilities. This bill is identical to HB 2512 and incorporates SB 1000, SB 1085, SB 1140, SB 1185, SB 1187, and SB 1212.

Patron - Hanger

SB1243 Child protective services; school employees. Provides that if, after an investigation of a child protective services complaint, the local department of social services determines that the actions or omissions of a teacher, principal, or other person employed by a local school board or employed in a school operated by the Commonwealth were within such employee's scope of employment and were taken in good faith in the course of supervision, care, or discipline of students, then the standard in determining if a report of abuse or neglect is founded is whether such acts or omissions constituted gross negligence or willful misconduct. This bill contains technical amendments and is identical to HB 2163.

Patron - Devolites Davis

SB1304 Core licensure of residential facilities for children. Requires the Boards of Education; Mental Health,

Mental Retardation and Substance Abuse Services; Social Services; and Juvenile Justice to promulgate regulations that address the services required to be provided in group homes and other residential facilities for children as they may deem appropriate to ensure the education, health, welfare, and safety of the juveniles (as relevant to the Department). In addition, each board's regulations must include, but need not be limited to (i) specifications for the structure and accommodations of such facilities according to the needs of the juveniles to be placed in the home or facility; (ii) rules concerning allowable activities, local government- and group home- or residential care facility-imposed curfews, and study, recreational, and bedtime hours; and (iii) a requirement that each home or facility have a community liaison who shall be responsible for facilitating cooperative relationships with the neighbors, the school system, local law enforcement, local government officials, and the community at large. This bill is identical to HB 2461.

Patron - Martin

Failed

HB1557 Social services; Virginia Caregivers Grant. Increases the grant available to a caregiver of a mentally or physically impaired relative from \$500 to \$3,000 if the caregiver can provide appropriate documentation that without such care, the relative would be domiciled in a nursing facility. Grants from this fund shall not exceed the amount appropriated by the General Assembly to the Virginia Caregivers Grant Fund.

Patron - Purkey

HB1788 Neighborhood Assistance Act; tax credits. Increases the total amount that programs created under the Act can grant in tax credits from \$8 million to \$10 million and increases the allocation that must go to education programs conducted by neighborhood organizations from \$2,750,000 to \$4,750,000. The bill also (i) increases maximum tax credit that individuals may receive from \$750 to \$100,000; (ii) permits individuals to donate real property and stock, in addition to money; and (iii) adds professional printing, design, and technical writing services to the definition of "professional services" for which individuals may receive tax credits. This bill has been incorporated into HB 2041.

Patron - BaCote

HB1902 Social services; Virginia Caregivers Grant program. Increases the grant available to a caregiver of a mentally or physically impaired relative from \$500 to \$3,000 if the caregiver can provide appropriate documentation that without such care, the relative would be domiciled in a nursing facility. Grants from this fund shall not exceed the amount appropriated by the General Assembly to the Virginia Caregivers Grant Fund. The sunset date is also extended from December 31, 2005, to December 31, 2010.

Patron - Baskerville

HB1919 Consent to adoption; exceptions. Provides that a birth father's consent to adoption is not required where he is incarcerated upon a felony with more than 12 months remaining on his sentence and he was not married to the birth mother at the time of the child's conception or birth.

Patron - Cole

HB1956 Child support; administrative orders; guideline factors. Provides that the Department of Social Services, in establishing child support amounts in an administra-

tive order, shall consider the factors established to rebut the guideline amount presumption.

Patron - Jones, D.C.

HB1998 Exemption from licensure as day care centers for certain martial arts programs. Provides an exemption from licensure as day care centers for programs of instruction that focus solely on the martial arts and operate as drop-in programs where, by written policy given to and signed by a parent or guardian, children are free to enter and leave the premises without permission or supervision and parents are clearly notified in writing that the facilities are not licensed as child day centers. The exemption will be granted regardless of (i) such programs' locations or the number of days per week of operation; (ii) the provision of transportation services, including drop-off and pick-up times; (iii) the initiation of measures designed to protect the health and safety of the enrolled children, such as requiring the child to obtain the permission of the instructor to leave a class, requiring verbal or written permission from the parent for the child to leave a facility during a class, or operating a "hot line" to enable the parent to notify the facility when a child will not be in attendance, or maintaining a mechanism by which the bus driver can check on the whereabouts of any child who does not board the bus as scheduled; (iv) the scheduling of breaks for snacks, homework or other activities approved by the parent; or (v) the advertising of the martial arts program as an alternative to child day centers for children of school age who are at least six years old.

Patron - Griffith

HB2124 Congregate housing services pilot program for frail elderly individuals. Directs the Department for the Aging to establish a four-year pilot congregate housing services program for frail elderly individuals. The Department is authorized to enter into contracts with qualified housing projects to establish the congregate housing services programs. The Department, in consultation with the Virginia Department of Housing and Community Development, shall develop criteria for the selection of pilot areas, which shall include an assessment of the qualified housing project's proposal for the congregate housing services program and the area's plan for the community involvement, including the involvement of the area agency on aging, the local department of social services, and the local department of housing. The Department shall submit to the House and Senate Committees on General Laws a report outlining the plan for the congregate housing services for frail elderly individuals by November 1, 2005, and operationalize the plan by March 1, 2006. The qualified housing project shall specify the type and priorities of the supportive services it will provide during the term of the contract and such services shall be related to the needs and characteristics of the residents. The qualified housing project shall establish a fee schedule for each supportive service and residents shall contribute financially toward the cost of services, according to their ability to pay based on their income. Any fees charged shall not exceed the cost of providing the services. The Department shall determine an individual's eligibility for the congregate housing services program and the services subsidy, i.e., the sum necessary to provide supportive services to an eligible participant in excess of that individual's ability to pay for services, to be paid by the Department. The Department shall evaluate and report on the impact and effectiveness of the congregate housing services program for frail elderly individuals.

Patron - Eisenberg

HB2150 Assisted living facilities; individualized family service plans. Requires the Board of Social Services to adopt regulations establishing requirements and protocols for individualized family service plans, which shall be required for all residents of licensed assisted living facilities. The bill sets

forth minimum requirements for such plans. This bill has been incorporated into HB 2512.

Patron - Amundson

F HB2362 Assisted living facilities. Requires administrators of assisted living facilities to be licensed by the Board of Long-Term Care Administrators within the Department of Health Professions. The bill renames the Board of Nursing Home Administrators as the Board of Long-Term Care Administrators. These licensing provisions shall take effect July 1, 2007. The bill permits the Commissioner of the Department of Social Services to issue an order of summary suspension of a license to operate an assisted living facility and adult day care center in cases of immediate and substantial threat to the health, safety, and welfare of residents or participants. The bill requires that medication aides be registered by the Board of Nursing if the drugs administered would otherwise be self-administered to residents in an assisted living facility or participants in an adult day care center program licensed by the Department of Social Services. The bill requires that assisted living facilities employ a certified nurse aide registered as a medication aide who sees each resident once a week and is available seven days a week to see any resident upon request. The bill also requires the Departments of Social Services and Mental Health, Mental Retardation and Substance Abuse Services to increase access to and improve the quality of necessary and appropriate care provided to adults with serious mental illnesses, mental retardation, or substance dependence or abuse who reside in assisted living facilities. The bill requires the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to develop standards to be incorporated into the assisted living facility licensing regulations adopted by the State Board of Social Services for the provision of care and treatment, training, or habilitation services to and the protection of such adults. DMHMRSAS shall provide consultation about treatment, training, and habilitation needs of and services and behavioral interventions for such adults to licensing staff in the Department of Social Services, particularly to staff who may be designated as resource specialists for serving such adults. The bill requires all applicants for an assisted living facility license to undergo a criminal background check. The bill requires each assisted living facility to provide written disclosure documents to residents upon admission. The Department of Social Services shall develop a training module for licensing inspectors and criteria for assessing civil penalties. This bill has been incorporated into HB 2512.

Patron - Watts

F HB2537 Assisted living facilities; civil penalties. Permits the Commissioner to issue an order of summary suspension of a license to operate an assisted living facility and adult day care center (licensee) in cases of immediate and substantial threat to the health, safety, and welfare of residents or participants. The bill also authorizes the Commissioner to deny, revoke, or summarily suspend certain authority of the licensee to operate and may permit the licensee to operate, but may restrict or modify the licensee's authority to provide certain services or perform certain functions that the Commissioner determines should be restricted or modified in order to protect the health, safety, or welfare of the residents or participants. Prior to any summary suspension, the Commissioner shall first appoint a competent person to administer, manage, or operate an assisted living facility and adult day care center. The bill increases the maximum civil penalties for assisted living facilities from \$500 to \$10,000 per license period and directs that the civil penalties be paid into the newly created Assisted Living Facility Education, Training, and Technical Assistance Fund to provide education and training for staff of and technical assistance to assisted living facilities. Criteria for imposition of civil penalties and amounts, expressed in ranges,

must be based upon the severity, pervasiveness, duration, and degree of risk to the health, safety, or welfare of residents. The bill requires an assisted living facility to ensure that a thorough mental health screening of persons with mental illness, mental retardation, or other conditions is or has been performed, and that an individualized services plan for such person is created through the local community services board or behavioral health authority, or through other appropriate service providers. The bill requires each assisted living facility to fully disclose prior to admission information about the services, policies, staffing patterns, fees, and ownership structure of the facility, specifically including a description of conditions or occurrences that would require the discharge of the resident from the facility. The State Board of Social Services shall adopt emergency regulations for the implementation of these provisions. Finally, the Department of Social Services shall develop a training module on assisted living facilities and train current and future employees. This bill has been incorporated into HB 2512.

Patron - Nixon

F HB2545 Assisted living facilities; education and training. Requires the Departments of Social Services and Mental Health, Mental Retardation and Substance Abuse Services to increase access to and improve the quality of necessary and appropriate care provided to adults with serious mental illnesses, mental retardation, or substance dependence or abuse who reside in assisted living facilities. The bill requires the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to develop standards to be incorporated into the assisted living facility licensing regulations adopted by the State Board of Social Services for the provision of care and treatment, training, or habilitation services to and the protection of such adults. DMHMRSAS shall provide consultation about treatment, training, and habilitation needs of and services and behavioral interventions for such adults to licensing staff in the Department of Social Services, particularly to staff who may be designated as resource specialists for serving such adults. The bill requires DMHMRSAS to encourage community services boards and behavioral health authorities to provide consultation about treatment, training, and habilitation needs of and services and behavioral interventions for such adults to licensed assisted living facilities and to notify Department of Social Services licensing staff and licensed assisted living facilities of opportunities to participate in training offered at its state facilities on applicable topics that address the needs of and services and interventions for such adults in assisted living facilities. Finally, the bill requires the Department of Social Services to designate licensing staff who have received additional training to serve as resource specialists on issues involved in serving such adults and to participate in licensing assisted living facilities in which a significant portion of the residents have serious mental illnesses, mental retardation, or substance dependence or abuse. This bill has been incorporated into HB 2512.

Patron - Van Landingham

F HB2601 Medical assistance services; asset transfer limit waiver. Permits the Department of Medical Assistance Services, when appropriate and practicable, to seek a waiver pursuant to § 1115 of the Social Security Act (42 U.S.C. § 1315) from the Centers for Medicare and Medicaid Services to establish asset transfer limits that are more restrictive than those currently permitted under federal Medicaid law or regulations. Prior to submitting an application, the Director shall report on the limits on asset transfers in the proposed waiver.

Patron - Landes

HB2676 Adult Fatality Review Team; duties; membership; confidentiality; etc.; penalties; report. Requires the Commissioner of the Department of Social Services and the Chief Medical Examiner to develop an Adult Fatality Review Team (“Team”) to review suspicious deaths of adults in order to create a body of information to help prevent future fatalities. The Team is charged with reviewing the death of any incapacitated adult aged 18 or older, and any adult aged 60 or older (i) who was the subject of an adult protective services investigation, or (ii) whose death was due to abuse or neglect or acts suggesting possible abuse or neglect. The bill sets forth duties, membership, confidentiality, reporting, and other requirements for the Team.

Patron - Ebbin

HB2848 Child day centers; square footage and space requirements. Provides square footage and space requirements for licensed child day centers.

Patron - McQuigg

HB2876 Address Confidentiality Program; victims of domestic violence. Establishes in the Office of the Attorney General the “Address Confidentiality Program” to protect victims of domestic violence by authorizing the use of designated addresses for such victims.

Patron - Miller

HB2883 Child support; establishing and enforcing visitation orders. Empowers the Department of Social Services to establish and enforce visitation orders, and to enforce any court-ordered visitation orders.

Patron - Spruill

HB2884 Child support; withholding of income and seizure of property; notice. Provides that prior to withholding income or seizing property, notice must be provided to the obligor and there must be a court hearing.

Patron - Spruill

HB2911 Advisory Board on Child Abuse and Neglect; evaluation of child-protective services investigations; report. Requires the Department of Social Services to evaluate and report on the impact and effectiveness of child-protective services investigations. The bill sets forth information that the evaluation must include, such as the effectiveness of the initial assessment in determining the appropriate level of intervention; successes and problems encountered in providing services; the number of temporary and permanent removals of children from their families or current living arrangements and the terms of such removals; and the number of complaints filed against child-protective services workers at the local and state level and the final outcomes of such complaints. The bill requires the Department to submit the report annually to the Advisory Board on Child Abuse and Neglect, which shall develop protocols and criteria based upon the findings and recommendations contained in the annual reports for improving the effectiveness of child-protective services investigations at the state and local levels. The bill also requires the subject of an abuse or neglect investigation to be given the contact information for the supervisor of the child-protective services worker and the director of the child-protective services unit so that the person can discuss any concerns regarding the conduct of the investigation.

Patron - Shannon

HB2921 Adoptions; investigation by circuit court. Requires the circuit court’s investigation of a petitioner for adoption to include an inquiry into whether the petitioner is known to engage in current voluntary homosexual activity or is

unmarried and cohabiting with another adult to whom he is not related by blood or marriage.

Patron - Black

SB749 Family day home systems and family day homes; civil penalty. Requires any person who operates a family day home approved by a licensed family day system, licensed family day home or voluntarily registered family day home that is not covered by liability insurance to post that fact in the family day home and notify in writing the parent or guardian of each child under the care of the family day home. Any person who fails to give the required notice shall be subject to a civil penalty of \$500 for each such failure.

Patron - Edwards

SB857 Adult Fatality Review Team; duties; membership; confidentiality; etc.; penalties. Requires the Commissioner of the Department of Social Services and the Chief Medical Examiner to develop an Adult Fatality Review Team (“Team”) to conduct a retrospective review of suspicious deaths of certain adults for the purpose of identifying interventions that may reduce similar deaths in the future. The Team is charged with reviewing the death of any incapacitated adult aged 18 or older, and any adult aged 60 or older, whose death was due to violent or unnatural circumstances. The bill sets forth duties, membership, confidentiality, reporting, and other requirements for the Team.

Patron - Howell

SB862 Mandatory reporting of child abuse and neglect. Requires any regular minister, priest, rabbi, or accredited practitioner to report suspected child abuse or neglect to a local department of social services or the Department of Social Services’ toll-free child abuse and neglect hotline. The bill exempts from the mandatory reporting requirement information required by the doctrine of the religious organization or denomination to be kept in a confidential manner and information that the practitioner would not be required to disclose in court testimony pursuant to other Code provisions.

Patron - Howell

SB979 Designated agency adoptions. Provides that when a licensed child-placing agency or a local board of social services (agency) accepts custody of a child for the purpose of placing the child with adoptive parents designated by the birth parents or a person other than an agency, either the parental placement adoption provisions or the agency adoption provisions will apply to the placement at the election of the birth parent. Current law requires agencies to use parental placement adoption law when birth parents designate adoptive parents. Current parental placement adoption law requires the simultaneous meeting of the birth and adoptive parents during the home study and the presence of both parties at the consent hearing in juvenile and domestic relations court. This bill will provide a designated adoption through an agency that is either disclosed or nondisclosed. The agency or local board shall provide information to the birth parents regarding the parental placement adoption and the agency adoption provisions in order to give the birth parents the opportunity to make an informed choice. Any compensation to any party in connection with the adoption is prohibited except as provided in current law.

Patron - O’Brien

SB1000 Assisted living facilities. Requires administrators of assisted living facilities to be licensed by the Board of Long-Term Care Administrators within the Department of Health Professions. The bill renames the Board of Nursing Home Administrators as the Board of Long-Term Care Administrators. These licensing provisions shall take effect July 1,

2007. The bill permits the Commissioner of the Department of Social Services to issue an order of summary suspension of a license to operate an assisted living facility and adult day care center in cases of immediate and substantial threat to the health, safety, and welfare of residents or participants. The bill requires that medication aides be registered by the Board of Nursing if the drugs administered would otherwise be self-administered to residents in an assisted living facility or participants in an adult day care center program licensed by the Department of Social Services. The bill requires that assisted living facilities employ a certified nurse aide registered as a medication aide who sees each resident once a week and is available seven days a week to see any resident upon request. The bill also requires the Departments of Social Services and Mental Health, Mental Retardation and Substance Abuse Services to increase access to and improve the quality of necessary and appropriate care provided to adults with serious mental illnesses, mental retardation, or substance dependence or abuse who reside in assisted living facilities. The bill requires the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to develop standards to be incorporated into the assisted living facility licensing regulations adopted by the State Board of Social Services for the provision of care and treatment, training, or habilitation services to and the protection of such adults. DMHMRSAS shall provide consultation about treatment, training, and habilitation needs of and services and behavioral interventions for such adults to licensing staff in the Department of Social Services, particularly to staff who may be designated as resource specialists for serving such adults. The bill requires all applicants for an assisted living facility license to undergo a criminal background check. The bill requires each assisted living facility to provide written disclosure documents to residents upon admission. The Department of Social Services shall develop a training module for licensing inspectors and criteria for assessing civil penalties. This bill has been incorporated into SB 1183.

Patron - Devolites Davis

SB1069 Office of Children's Services Ombudsman. Creates, within the Office of the Secretary of Health and Human Resources, the Office of Children's Services Ombudsman (the Office). The mission of the Office is to protect children and parents from harmful agency action or inaction; investigate the acts of state and local administrative agencies adversely affecting children; recommend appropriate changes toward the goals of safeguarding the rights of children and parents; and promote higher standards of competency, efficiency, and justice in the administration of child protection and child welfare laws. The Office is to be headed by a Director appointed by the Secretary of Health and Human Resources. The bill also contains an exemption from the Freedom of Information Act for active investigations conducted by the Office. The bill contains technical amendments.

Patron - Edwards

SB1085 Assisted living facilities. Permits the Commissioner to issue an order of summary suspension of a license to operate an assisted living facility and adult day care center in cases of immediate and substantial threat to the health, safety, and welfare of residents or participants. The bill also requires every employee in an assisted living facility in a direct care position to be a licensed registered nurse or practical nurse or certified nurse aide. This bill has been incorporated into SB 1183.

Patron - Ticer

SB1140 Assisted living facilities; civil penalty. Requires administrators of assisted living facilities to be licensed by the Board of Long-Term Care Administrators within the Department of Health Professions. The bill renames

the Board of Nursing Home Administrators as the Board of Long-Term Care Administrators. These licensing provisions shall take effect July 1, 2007. Among other provisions, the bill permits the Commissioner of the Department of Social Services to issue an order of summary suspension of a license to operate an assisted living facility and adult day care center in cases of immediate and substantial threat to the health, safety, and welfare of residents or participants and increases from \$500 to \$10,000 the maximum civil penalty for an assisted living facility out of compliance with licensure requirements. The bill also requires every employee in an assisted living facility in a direct care position to be a licensed registered nurse or practical nurse or certified nurse aide. The bill requires medication aides in assisted living facilities to be registered by the Board of Nursing. The bill requires that assisted living facilities employ a certified nurse aide registered as a medication aide who sees each resident once a week and is available seven days a week to see any resident upon request. The bill also requires the Departments of Social Services and Mental Health, Mental Retardation and Substance Abuse Services to increase access to and improve the quality of necessary and appropriate care provided to adults with serious mental illnesses, mental retardation, or substance dependence or abuse who reside in assisted living facilities. The bill requires the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to develop standards to be incorporated into the assisted living facility licensing regulations adopted by the State Board of Social Services for the provision of care and treatment, training, or habilitation services to and the protection of such adults. DMHMRSAS shall provide consultation about treatment, training, and habilitation needs of and services and behavioral interventions for such adults to licensing staff in the Department of Social Services, particularly to staff who may be designated as resource specialists for serving such adults. The bill requires each assisted living facility to provide written disclosure documents to residents upon admission. The Department of Social Services shall develop a training module for licensing inspectors. Finally, the bill eliminates the local share of the auxiliary grant funding and requires the Department for the Aging's contract with the long-term care ombudsman program provide a minimum staffing ratio of one ombudsman to every 2000 long-term care beds. This bill has been incorporated into SB 1183.

Patron - Hanger

SB1187 Assisted living facilities; civil penalties. Requires administrators of assisted living facilities to be licensed by the Board of Long-Term Care Administrators within the Department of Health Professions. The bill renames the Board of Nursing Home Administrators as the Board of Long-Term Care Administrators. The licensing provisions shall not take effect until July 1, 2007. The Board of Long-Term Care Administrators shall submit the proposed criteria for licensing assisted living facility administrators to the chairmen of the House Committee on Health, Welfare and Institutions, Senate Committee on Education and Health, and Joint Commission on Health Care on or before January 1, 2006. The bill permits the Commissioner to issue an order of summary suspension of a license to operate an assisted living facility and adult day care center in cases of immediate and substantial threat to the health, safety, and welfare of residents or participants. The bill increases the maximum civil penalties for assisted living facilities from \$500 to \$10,000 per inspection and directs that the civil penalties be paid to the newly created Assisted Living Facility Education and Technical Assistance Fund to provide education for staff of and technical assistance to assisted living facilities. This bill has been incorporated into SB 1183.

Patron - Puller

SB1212 Assisted Living Facilities licensing; auxiliary grant residents required. Requires assisted living facilities to care for a minimum of two residents who receive auxiliary grants in order to be licensed to operate such facility. The Virginia auxiliary grant program provides assistance to certain individuals ineligible for benefits under Title XVI of the Social Security Act and to certain individuals whose benefits under the Act are not sufficient to maintain the minimum standards of need established by the Board of Social Services. Current law does not require licensed assisted living facilities to care for auxiliary grant recipients. This bill has been incorporated into SB 1183.

Patron - Miller

SB1316 Permanent foster care placements. Permits local departments of social services or licensed child-placing agencies pursuant to court order to place a child over whom it has legal custody in a permanent foster care placement that is a licensed children's residential facility. Current law requires such placement to be a residence of a natural person.

Patron - Deeds

Workers' Compensation

Passed

HB1567 Workers' compensation; compensable employees. Provides that those volunteer members of community emergency response teams and volunteer members of medical reserve corps who have been acknowledged as employees by the local governing body or state institution of higher education in which the principal office of their team or corps is located are employees of that local government or state institution for workers' compensation purposes. This bill incorporates HB 1697.

Patron - Cosgrove

HB1728 Workers' compensation; demonstrator cars; noncompensable injury, disease, or condition. Provides that any injury, disease or condition resulting from the use by an employee of a dealer motor vehicle for commuting to or from work or any other non-work activity is not compensable under workers' compensation. This bill is identical to SB 1215.

Patron - Kilgore

HB1862 Workers' compensation; professional employer organizations. Authorizes the Workers' Compensation Commission to require a business entity with a controlling interest in or sharing common ownership with any professional employer organization providing services in the Commonwealth to guarantee the performance of all obligations under the Workers' Compensation Act by the non-controlling business entity, including payment of benefits.

Patron - Morgan

HB1863 Workers' compensation; failure to insure payment; penalty. Provides for imposition of civil and criminal penalties on employers that fail to insure payment of workers' compensation to their employees, and for imposition of civil penalties on employers that fail to comply with requirements governing professional employer organizations.

Patron - Morgan

HB2462 Workers' compensation. Provides that recipients of Temporary Assistance for Needy Families bene-

fits who participate in the work experience component of the Virginia Initiative for Employment Not Welfare Program, and are not eligible for Medicaid, will be employees of the Commonwealth for purposes of the Workers' Compensation Act. Such recipients will not be eligible for wage replacement or death benefits.

Patron - Nixon

HB2700 Workers' compensation; coverage for first responders during state of emergency. Provides that injuries to first responders incurred while traveling from home or another location outside a work location to that work location are deemed to be within the scope of employment for purposes of the Workers' Compensation Act, if a state of emergency is in effect.

Patron - Sickles

HB2775 Limitations on workers' compensation claims; September 11, 2001, rescue and relief workers. Allows an employee suffering from a disease directly attributable to 9/11 rescue and relief efforts two years after the employee first learns of the disease diagnosis within which to file claim.

Patron - Brink

SB1035 Workers' compensation; extended coverage for members of the Virginia National Guard, Virginia State Defense Force, and naval militia. Provides that a claim for workers' compensation shall be deemed to be in the course of employment with the Virginia National Guard, Virginia State Defense Force, or naval militia for any member thereof, who, in reacting to an order to report while he is outside an assigned shift or work location, undertakes in direct obedience to a lawful military order travel to his designated place of state active duty.

Patron - Ruff

SB1215 Workers' compensation; demonstrator cars; noncompensable injury, disease, or condition. Provides that any injury, disease or condition resulting from the use by an employee of a dealer motor vehicle for commuting to or from work or any other non-work activity is not compensable under workers' compensation. This bill is identical to HB 1728.

Patron - Williams

Failed

HB1697 Workers' compensation; compensable employees. Provides that those volunteer members of community emergency response teams and volunteer members of medical reserve corps who have been acknowledged as employees by the local governing body or state institution of higher education in which the principal office of their team or corps is located are employees of that local government or state institution for workers' compensation purposes. This bill has been incorporated into HB 1567.

Patron - Spruill

HB1701 Workers' compensation; statute of limitations tolled for injury related to compensable accident. Provides that where the employer has paid medical bills incurred for an injury that is related to a compensable accident but is not referenced in any agreement on compensation for that accident, and the employee's right to file a claim relating to that injury has been thereby prejudiced, the statute of limitations shall be tolled as to such claim until the employee does or should know that the claim has been denied. Current law pro-

vides similar protections relating to the compensable accident itself.

Patron - Kilgore

FHB2014 Workers' compensation; self-insurance; grocery stores. Provides that for the purposes of calculating a debt/equity ratio to assess an employer's capacity to self-insure, the Workers' Compensation Commission shall consider the value of any physical facilities, appliances, or inventory owned by a grocery store.

Patron - Griffith

FHB2056 Workers' compensation. Limits the benefits that aliens not eligible for lawful employment may receive under the Workers' Compensation Act to medical benefits.

Patron - Byron

FHB2309 Workers' compensation; definition of hypertension. Defines hypertension to include stroke, cerebrovascular accident (CVA), or any cerebral vascular event.

Patron - Griffith

FSB1291 Workers' compensation; definition of hypertension. Defines hypertension to include stroke when hypertension is the primary risk factor for the stroke.

Patron - Edwards

Constitutional Amendment Resolutions

Passed

PHJ586 Constitutional amendment (first resolution); marriage. Provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing a legal status "for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." This resolution incorporates HJR 584 and HJR 615. The amendment proposed in this resolution is identical to that proposed in SJR 337 as passed.

Patron - Cosgrove

PHJ633 Constitutional amendment (first resolution); property exempt from taxation. Authorizes the General Assembly to enact legislation that will permit localities to provide a partial exemption from real property taxation for real estate and associated new structures and improvements in conservation, redevelopment, or rehabilitation areas. The proposed constitutional amendment in this resolution is identical to that in SJR 275.

Patron - Ingram

PSJ275 Constitutional amendment (first resolution); property exempt from taxation. Authorizes the General Assembly to enact legislation that will permit localities to provide a partial exemption from real property taxation for real estate and associated new structures and improvements in conservation, redevelopment, or rehabilitation areas. The proposed

constitutional amendment in this resolution is identical to that in HJR 633.

Patron - Edwards

PSJ337 Constitutional amendment (first resolution); marriage. Provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing a legal status "for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." The amendment proposed in this resolution is identical to that proposed in HJR 586 as passed.

Patron - Newman

PSJ339 Constitutional amendment (first resolution); powers of the General Assembly; limitations on powers including incorporation of churches. Deletes language that prohibits the General Assembly from granting charters of incorporation to churches. This prohibition was held to be unconstitutional in 2002 by the United States District Court for the Western District of Virginia in *Falwell v. Miller* (203 F.Supp. 2d 624). The Court held that the prohibition against incorporation of churches violated the plaintiff church's First Amendment rights to the free exercise of religion. Since that case, the State Corporation Commission has granted charters to churches. This amendment deletes the now obsolete language and effects no change in current law on the powers of the General Assembly.

Patron - Mims

Failed

FHJ525 Constitutional amendment (first resolution); limit on growth in state general fund appropriations and revenues. Limits general fund growth in any fiscal year to the preceding year's general fund appropriation plus the percentage increase in gross state product for the most recently available year plus a factor for population increases. The General Assembly may exceed this limitation with a two-thirds vote of the members elected in each house. The amendment also provides that 50 percent of general fund revenues in excess of the limitation is to be returned to the citizens of Virginia and 50 percent goes into the Revenue Stabilization Fund. This resolution incorporates HJR 622.

Patron - Ware, R.L.

FHJ527 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, and Highway Maintenance and Operating Fund. All revenues dedicated to Transportation Funds on January 1, 2005, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within four years. This resolution incorporates HJR 541, HJR 550, HJR

562, HJR 563, HJR 585, HJR 642, HJR 644, HJR 717, and HJR 771.

Patron - McDonnell

FHJ528 Constitutional amendment (first resolution); marriage. Provides that marriage may exist only between a man and woman and that nothing in the Constitution shall be interpreted to require the Commonwealth to recognize or permit same-sex marriages.

Patron - Cosgrove

FHJ537 Constitutional amendment; (first resolution); religious freedom. Amends the current religious freedom provisions of the Virginia Constitution to “secure further the people’s right to acknowledge God”; to permit prayer and the recognition of “religious beliefs, heritage, and traditions on public property, including public schools”; and to prohibit the Commonwealth and its political subdivisions, including public school divisions, from composing school prayers or requiring individuals to “join in prayer or other religious activity.” The current constitutional provision parallels the federal free exercise/establishment clauses of the U.S. Constitution and provides for the free exercise of religion “according to the dictates of conscience” and prohibits the General Assembly from compelling persons to participate in religious activity.

Patron - Carrico

FHJ541 Constitutional amendment (first resolution); Transportation Trust Fund. Provides that the Transportation Trust Fund established in 1986 will be a permanent fund and receive all revenues generated by the 1986 package of tax and fee increases and any later enactments dedicating additional revenues to the Fund. The amendment limits the use of Trust Fund moneys to purposes of highway construction, maintenance, and improvements, public transportation, railroads, seaports, and airports. The General Assembly may use fund proceeds for other purposes only by a two-thirds vote of the members in each house. However, fund proceeds used for other purposes must be repaid to the Fund within three years. This resolution has been incorporated into HJR 527.

Patron - Marshall, D.W.

FHJ542 Constitutional amendments (first resolution); Virginia Redistricting Commission. Establishes the Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Appointments to the 13-member Commission are to be made in the census year as follows: two each by the President pro tempore of the Senate, Speaker of the House of Delegates, minority leader in each house, and the state chairman of each of the two political parties receiving the most votes in the prior gubernatorial election. The 12 partisan members then select the thirteenth member by a majority vote; or, if they cannot agree on a selection, they certify the two names receiving the most votes to the Supreme Court, which will name the thirteenth member. The Commission is directed to certify district plans for the General Assembly within one month of receipt of the new census data or by March 1 of the year following the census, whichever is later, and for the House of Representatives within three months of receipt or by May 1 of the year following the census, whichever is later. The plans shall be effective for the next regular general election for the Senate, House of Delegates, or House of Representatives. Members in office when a new plan is certified complete their terms and continue to represent the district as constituted when they were elected. The standards to govern redistricting plans include the current Constitution’s standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data. The amendments also provide for 40 senators

and 100 delegates rather than the present ranges of 33 to 40 senators and 90 to 100 delegates.

Patron - Shuler

FHJ547 Constitutional amendment (first resolution); enactment of tax laws. Requires that any law that imposes, continues, increases, or revives a tax must be approved either: (i) by a four-fifths vote of the members voting in each house of the General Assembly; or (ii) by a majority vote of all members voting in each house of the General Assembly and by a majority of the people voting in a referendum on the question of whether the law shall take effect.

Patron - Frederick

FHJ548 Constitutional amendment (first resolution); budget preparation. Provides preparation of the executive budget based on “zero-based” agency requests designed to provide information for the Governor and General Assembly to review, evaluate, and analyze all proposed expenditures.

Patron - Frederick

FHJ549 Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in any fiscal year to the preceding year’s total appropriations plus the greater of (i) five percent, or (ii) a percentage increase equal to the rate of inflation plus the rate of population increase. However, additional appropriations may be made (a) for tax relief, (b) for deposits to the Revenue Stabilization Fund, and (c) nonrecurring capital projects. “Total appropriations” is defined so as not to include moneys appropriated that are received from the federal government or an agency or unit thereof.

Patron - Frederick

FHJ550 Constitutional amendment (first resolution); Highway Maintenance and Operating Fund and Transportation Trust Fund. Provides that the Highway Maintenance and Operating Fund and the Transportation Trust Fund shall be permanent funds. Starting with the Commonwealth’s fiscal year beginning July 1, 2006, the General Assembly shall appropriate to each Fund an amount no less than the amount appropriated to the respective Fund in the immediately preceding fiscal year. The amendment limits the use of Trust Fund moneys to highway construction, maintenance, and improvements, public transportation, railways, seaports, and airports. The General Assembly may use fund proceeds for other purposes only by a four-fifths vote of the members in each house. However, fund proceeds used for other purposes must be repaid to the Fund within four years. This resolution has been incorporated into HJR 527.

Patron - Frederick

FHJ555 Constitutional amendments (first resolution); Governor’s term of office; Board of Education. One amendment permits the Governor to succeed himself in office. The amendment allows two terms (either in succession or not in succession) but prohibits election to a third term. The amendment allows Governors elected in 2005 and thereafter to serve two successive terms. A second amendment provides for the appointment of the members of the Board of Education as follows: four members, including a member designated as president, by the Governor; and three members appointed by the House of Delegates and two members appointed by the Senate, in accordance with the rules of each house. Members are to be appointed for four-year terms. Terms are staggered. No person may be appointed to more than two consecutive full terms. Members in office when the amendment takes effect will serve until their successors are appointed. Presently, the

Constitution provides that all nine members are appointed by the Governor.

Patron - Purkey

FHJ556 Constitutional amendment (first resolution); Board of Education. Provides for the appointment of the members of the Board as follows: four members, including a member designated as president, by the Governor; and three members appointed by the House of Delegates and two members appointed by the Senate, in accordance with the rules of each house. Members are to be appointed for four-year terms. Terms are staggered. No person may be appointed to more than two consecutive full terms. Members in office when the amendment takes effect will serve until their successors are appointed. Presently, the Constitution provides that all nine members are appointed by the Governor.

Patron - Purkey

FHJ557 Constitutional amendment (first resolution); Governor's term of office. Permits the Governor to succeed himself in office. The amendment allows two terms (either in succession or not in succession) but prohibits election to a third term. The amendment allows Governors elected in 2005 and thereafter to serve two successive terms.

Patron - Purkey

FHJ558 Constitutional amendment (first resolution); biennial budget; failure to enact. Provides for the continuation of the budget in effect through June 30 of an even-numbered year for the next fiscal year in the event that the General Assembly fails to enact a biennial budget by May 1 of that even-numbered year. The continued budget may be amended only by a two-thirds vote of the General Assembly.

Patron - Marshall, R.G.

FHJ559 Constitutional amendment (first resolution); budget and appropriations bills. Provides that no legislation to appropriate state revenues may be proposed or enacted that depends on revenues that must be authorized by law but that have not been authorized by law as of the date such legislation is proposed.

Patron - Marshall, R.G.

FHJ562 Constitutional amendment (first resolution); special transportation funds. Provides that the Highway Maintenance and Operating Fund and Transportation Trust Fund will be permanent funds and be funded annually by the General Assembly by appropriations equivalent to the revenues appropriated to the Funds for fiscal year ending June 30, 2004. The amendment limits the use of Fund moneys to various transportation purposes. The General Assembly may borrow from the Fund for other purposes only by a two-thirds vote of members in each house and the loan must be repaid within four years. Any reduction in appropriations to either Fund will be treated as a borrowing from the Fund. This resolution has been incorporated into HJR 527.

Patron - Black

FHJ563 Constitutional amendment (first resolution); highway and transportation trust funds. Provides that the Highway Maintenance and Operating Fund and the Transportation Trust Fund established in 1986 will be permanent and separate funds and will be funded annually by the General Assembly by appropriations equivalent to the revenues generated by the 1986 package of tax and fee increases and other revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. This resolution has been incorporated into HJR 527.

Patron - Fralin

FHJ584 Constitutional amendment (first resolution); marriage. Provides that marriage "is the legal union of one man and one woman as husband and wife" and that "no other combination of persons may be licensed to marry." The proposed amendment prohibits the creation, recognition, or enforcement of imitations of marriage. However, a right, privilege, or obligation of marriage may be conferred by statute on an unmarried person. This resolution has been incorporated into HJR 586.

Patron - Marshall, R.G.

FHJ585 Constitutional amendment (first resolution); highway and transportation trust funds. Provides that the Highway Maintenance and Operating Fund and the Transportation Trust Fund established in 1986 will be permanent and separate funds and be funded annually by the General Assembly by appropriations equivalent to the revenues generated by the 1986 package of tax and fee increases and other revenues dedicated to the funds. The amendment limits the use of fund moneys to transportation and related purposes. The General Assembly may borrow from the funds for other purposes or reduce the level of required appropriations to the funds only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid within four years. This resolution has been incorporated into HJR 527.

Patron - Marshall, R.G.

FHJ606 Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in any fiscal year to the preceding year's total appropriations plus the greater of (i) five percent or (ii) a percentage increase equal to the rate of inflation plus the rate of population increase. In the event that actual revenues exceed the amount of appropriations for a fiscal year, such surplus may only be used for (a) tax relief, (b) deposits to the Revenue Stabilization Fund, and (c) nonrecurring capital projects. "Total appropriations" is defined so as not to include appropriations: (i) for tax relief, (ii) from surplus funds for nonrecurring capital projects, or (iii) made from moneys received from the federal government or an agency or unit thereof.

Patron - McDougle

FHJ615 Constitutional amendment (first resolution); marriage. Provides that marriage consists exclusively of the union of a man and woman as husband and wife. The amendment also states that the Commonwealth shall not recognize or create other unions with the characteristics of marriage and that its provisions apply to political subdivisions of the Commonwealth. This resolution has been incorporated into HJR 586.

Patron - Byron

FHJ616 Constitutional amendment (first resolution); assessment of real property. Provides that beginning with the 2008 tax year, real property shall be assessed for tax purposes at no more than 105 percent of the assessed value of such property in the preceding tax year. However, if real property is sold or improved, it shall be assessed at fair market value for the tax year in which such transaction or improvement occurs. The fair market value assessment shall then be subject to the five percent limitation in subsequent tax years until such time as the property is again sold or improved.

Patron - Carrico

FHJ620 Constitutional amendment (first resolution); excludes privately owned motor vehicles from property taxation. Exempts privately owned motor vehicles used for nonbusiness purposes from property taxes.

Patron - Cole

EHJ621 Constitutional amendment (first resolution); payment of sales and use taxes in advance of collections. Prohibits any law that requires a person to pay to the State any funds in anticipation of the collection of sale and use taxes by that person on behalf of the Commonwealth.

Patron - Saxman

EHJ622 Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in any fiscal year to the preceding year's total appropriations plus a percentage increase equal to the past two years' average increase in the rate of inflation plus the average percentage increase in population. The amendment provides that any revenues collected in excess of the limitation shall be distributed: 50 percent to the Transportation Trust Fund and 50 percent to be refunded to individual income taxpayers. "Total appropriations" is defined to exclude moneys appropriated that are received from the federal government or an agency or unit thereof. The General Assembly may appropriate funds in excess of the stated limitation by a vote of two-thirds of the members elected to each house. If the amount in excess of the limitation is less than or equal to one percent of the limitation, the total excess shall be deposited to the Revenue Stabilization Fund if that Fund has not reached its constitutional limit or appropriated to the general fund. This resolution is incorporated into HJR 525.

Patron - Saxman

EHJ634 Constitutional amendment (first resolution); limits on taxes and revenues; Revenue Stabilization Fund; taxpayer refunds. Provides for the refund of surplus revenues, above the amount required to be deposited to the Revenue Stabilization Fund, to the Commonwealth's income taxpayers, provided the amount to be refunded exceeds \$50 million.

Patron - Janis

EHJ641 Constitutional amendment (first resolution); property exempt from taxation. Amends the Constitution of Virginia to exempt from property taxes privately owned motor vehicles used for nonbusiness purposes.

Patron - Rust

EHJ642 Constitutional amendment (first resolution); Transportation Trust Fund. Provides that the Transportation Trust Fund established in 1986 will be a permanent fund and receive all revenues generated by the 1986 package of tax and fee increases and any later enactments dedicating additional revenues to the Fund. The amendment limits the use of Trust Fund moneys to purposes of highway construction, maintenance, and improvements; public transportation; railways; seaports; and airports. This resolution has been incorporated into HJR 527.

Patron - Plum

EHJ644 Constitutional amendment (first resolution); Transportation Trust Fund. Provides that the Transportation Trust Fund established in 1986 will be a permanent fund and receive all revenues generated by the 1986 package of tax and fee increases and any later enactments dedicating additional revenues to the Fund. The amendment limits the use of Fund moneys to purposes of highway construction, maintenance, and improvements; public transportation; railways; seaports; and airports. This resolution has been incorporated into HJR 527.

Patron - Plum

EHJ652 Constitutional amendment (first resolution); Governor's term of office. Permits the Governor to

succeed himself in office. The amendment allows two four-year terms (either in succession or not in succession) but prohibits election to a third term. The amendment allows Governors elected in 2009 and thereafter to serve two successive terms. Service for more than two years of a partial term counts as service for one term. This resolution is a recommendation of the Joint Subcommittee to Study the Appropriate Balance of Power between the Legislative and Executive Branches to Support a Two-Term Governor in the Commonwealth (HJR 13, 2004). The proposed constitutional amendment in this resolution is identical to that in SJR 401 and SJR 410.

Patron - Purkey

EHJ653 Constitutional amendment (first resolution); limits on state expenditures, taxes, and revenues; Revenue Stabilization Fund; taxpayer refunds. Limits the amount of state expenditures from state tax revenues to 6.50 percent of personal income in the Commonwealth. The amendment also provides for the refund of surplus revenues, above the amount required to be deposited to the Revenue Stabilization Fund, to the Commonwealth's income tax payers, provided the amount to be refunded exceeds \$50 million.

Patron - Lingamfelter

EHJ659 Constitutional amendment (first resolution); property exempt from taxation. Amends the Constitution of Virginia to exempt all motor vehicles from property taxes. This resolution is identical to HJR 697.

Patron - Louderback

EHJ670 Constitutional amendment (first resolution); powers of the General Assembly; administrative rules and regulations. Allows the General Assembly to suspend and nullify administrative rules and regulations by a majority vote of the members elected to each house and authorizes the standing committees of each house and joint legislative commissions designated by the General Assembly to suspend rules and regulations when the General Assembly is not in regular session.

Patron - Griffith

EHJ682 Constitutional amendment (first resolution); impact fees. Requires the General Assembly to provide by general law that any locality may adopt an ordinance providing for the assessment of impact fees.

Patron - Marshall, R.G.

EHJ692 Constitutional amendment (first resolution); aid to nonpublic higher education. Authorizes the General Assembly to provide loans and grants for students attending for-profit and nonprofit institutions of higher education. Currently, Section 11, Article VIII provides authority for the Tuition Assistance Grant (TAG) Program, consisting of grants for students attending nonprofit institutions of higher education.

Patron - May

EHJ697 Constitutional amendment (first resolution); property exempt from taxation. Amends the Constitution of Virginia to exempt all motor vehicles from property taxes. This resolution is identical to HJR 659.

Patron - Amundson

EHJ698 Constitutional amendments (first resolution); Virginia Redistricting Commission. Establishes the Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Appointments to the five-member Commission are to be made in the census year from a pool of 25 nominees selected by the Supreme Court. Appointments are made from

the pool as follows: one each by the Speaker of the House of Delegates, the President pro tempore of the Senate, and the minority leader in each house. The four members appointed then select the fifth member and Commission chair by a majority vote; or, if they cannot agree, the Supreme Court shall name the fifth member. The standards to govern redistricting plans include population equality, compactness, contiguity, communities of interest, political fairness and the disregard of incumbency. The amendments also provide for 40 senators and 100 delegates rather than the present ranges of 33 to 40 senators and 90 to 100 delegates.

Patron - Amundson

FHJ699 **Constitutional amendment (first resolution); General Assembly powers; local handgun regulations.** Prohibits the General Assembly from enacting any law restricting the powers of any locality to regulate the open carrying of loaded handguns in public.

Patron - Amundson

FHJ700 **Constitutional amendment (first resolution); terms of office; General Assembly members and the Governor; future amendments.** Provides for four-year terms for House of Delegates members and six-year terms for Senate members and the Governor. The resolution also provides that constitutional amendments must be passed in two separate sessions and deletes the requirement that there must be an election for the House of Delegates between those two sessions.

Patron - Shuler

FHJ712 **Constitutional amendment (first resolution); parental rights.** Provides that "the God-given right of parents to direct the upbringing and education of their children is a fundamental right, subject only to those same limitations as other fundamental rights."

Patron - Byron

FHJ717 **Constitutional amendment (first resolution); Transportation Trust Fund.** Provides that the Transportation Trust Fund established in 1986 will be a permanent fund and receive all revenues generated by the 1986 package of tax and fee increases and any later enactments dedicating additional revenues to the Fund. The amendment limits the use of Trust Fund moneys to purposes of highway construction, maintenance, and improvements, public transportation, railroads, seaports, and airports. This resolution has been incorporated into HJR 527.

Patron - Sickles

FHJ762 **Constitutional amendment (first resolution); different rates of taxation for military members in combat.** Permits the General Assembly to authorize counties, cities, and towns to impose a different rate of taxation upon personal property owned by any member of the armed forces serving in a combat zone.

Patron - Cole

FHJ771 **Constitutional amendment (first resolution); highway and transportation trust funds.** Provides that various transportation funds will be permanent funds and will be funded annually by revenue sources in place on January 1, 2005. The amendment limits the use of transportation funds to transportation and related purposes. The General Assembly may borrow from transportation funds for other purposes only by a vote of four-fifths of the members voting in each house, and the loan must be repaid with reasonable interest within four years. This resolution has been incorporated into HJR 527.

Patron - Albo

FHJ812 **Constitutional amendment (first resolution); local electoral boards.** Provides that there will be four members, rather than three members, on each county and city electoral board and that the two major political parties will have equal representation on the board.

Patron - Scott, J.M.

FHJ814 **Constitutional amendment (first resolution); right to acquire farm-produced food.** Provides that people have the right to "acquire, for their own consumption, any farm-produced food directly from the farmer who produced it."

Patron - Gear

FHJ820 **Constitutional amendment (first resolution); property exempt from taxation.** Authorizes the General Assembly to enact legislation that will permit localities to exempt from property taxes up to the first \$100,000 of assessed value of real estate designed for continuous habitation, owned and occupied by the same individuals as their dwelling.

Patron - Brink

FSJ259 **Constitutional amendment (first resolution); restoration of civil rights for certain felons.** Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of nonviolent felonies who meet the conditions prescribed by law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law for persons convicted of nonviolent felonies.

Patron - Miller

FSJ307 **Constitutional amendment (first resolution); Virginia Redistricting Commission.** Establishes the Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Appointments to the 13-member Commission are to be made in the census year as follows: two each by the President pro tempore of the Senate, Speaker of the House of Delegates, minority leader in each house, and the state chairman of each of the two political parties receiving the most votes in the prior gubernatorial election. The 12 partisan members then select the thirteenth member by a majority vote; or, if they cannot agree on a selection, they certify the two names receiving the most votes to the Supreme Court, which will name the thirteenth member. The Commission is directed to certify district plans for the General Assembly within one month of receipt of the new census data or by March 1 of the year following the census, whichever is later, and for the House of Representatives within three months of receipt or by June 1 of the year following the census, whichever is later. The standards to govern redistricting plans include the current Constitution's standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data.

Patron - Deeds

FSJ309 **Constitutional amendment (first resolution); sessions of the General Assembly.** Provides that the General Assembly sessions convened in odd-numbered years shall be long sessions and sessions convened in even-numbered years shall be short sessions, reversing the present schedule. This amendment could be effective for the 2007 session.

Patron - Cuccinelli

FSJ310 **Constitutional amendment (first resolution); Transportation Trust Fund.** Provides that the Transportation Trust Fund established in 1986 will be a permanent fund and

be funded annually by the General Assembly by appropriations equivalent to the revenues generated by the 1986 package of tax and fee increases or the appropriation for the fiscal year ending June 30, 2005, whichever is greater. The amendment limits the use of Trust Fund moneys to highway construction, reconstruction, maintenance, and improvements, public transportation, railways, seaports, and airports. The General Assembly may borrow from the Fund for other purposes or reduce the level of required appropriations to the Fund only by a three-fifths plus two vote of members in each house and the loan or reduction must be repaid within four years. A substitute for this resolution was reported by the Senate Committee on Privileges and Elections that incorporated SJR 342, SJR 399, and SJR 409.

Patron - Cuccinelli

SJ316 Constitutional amendment (first resolution); establishment of special funds. Authorizes the General Assembly to establish a special fund for specified purposes and to dedicate a revenue stream to the fund. If the General Assembly establishes a special fund and dedicates to it income, sales and use, recordation, fuels, or insurance license taxes or vehicle registration fees, the General Assembly must continue appropriating the dedicated revenues to the fund. However, by a two-thirds vote of the members in each house, each special fund may be abolished, the purposes for which each fund is established may be changed, the minimum annual appropriation to each fund may be decreased, and the proceeds in each fund may be used for purposes other than for which the fund is established. A substitute for this resolution focusing on transportation funds and general funds was reported by the Senate Committee on Privileges and Elections that incorporated SJR 381.

Patron - Norment

SJ329 Constitutional amendment (first resolution); assessment of real property. Provides that a county, city, or town may enact an ordinance allowing real estate to be assessed at (i) fair market value or (ii) no more than 105 percent of the assessment of the property the preceding tax year, whichever is lower. If such an ordinance is adopted, the same factor for increasing assessments of real estate within the locality's geographical boundaries must be used for all properties assessed using other than the fair market value. If property is sold or improved, it shall be assessed at the fair market value for the tax year in which the sale or improvement takes place, and that assessment will be the basis for determining the assessment in the succeeding tax year. This resolution has been incorporated into SJR 384.

Patron - Wampler

SJ338 Constitutional amendment (first resolution); school boards and personnel. Authorizes the General Assembly to enact a personnel grievance procedure for school board employees that will permit a body other than the school board to resolve the grievance.

Patron - Mims

SJ340 Constitutional amendment (first resolution); property exempt from taxation. Amends the Constitution of Virginia to exempt privately owned motor vehicles used for nonbusiness purposes from state and local taxation.

Patron - Hanger

SJ341 Constitutional amendment (first resolution); qualifications of members of the General Assembly. Authorizes the General Assembly to provide by law for exceptions to the general rule that federal government employees are ineligible to serve in the General Assembly.

Patron - Devolites Davis

SJ342 Constitutional amendment (first resolution); Transportation Trust Fund. Provides that the Transportation Trust Fund established in 1986 will be a permanent fund and be funded annually by the General Assembly by appropriations equivalent to the revenues generated by the 1986 package of tax and fee increases or the appropriation for the fiscal year ending June 30, 2004, whichever is greater. The amendment limits the use of Trust Fund moneys to highway construction, reconstruction, maintenance, and improvements, public transportation, railways, seaports, and airports. The General Assembly may borrow from the Fund for other purposes or reduce the level of required appropriations to the Fund only by a two-thirds-plus-one vote of members in each house and the loan or reduction must be repaid within four years. This resolution has been incorporated into a substitute for SJR 310 reported by the Senate Committee on Privileges and Elections.

Patron - O'Brien

SJ358 Constitutional amendment (first resolution); limit of tax or revenue; Revenue Stabilization Fund; taxpayer refunds. Provides for refunds to individual income taxpayers of surplus revenues when the surplus is in excess of \$50 million plus the amount required to be deposited to the Revenue Stabilization Fund.

Patron - Martin

SJ362 Constitutional amendment (first resolution); local real estate tax relief. Provides that localities may, by ordinance, exempt, defer, or freeze the real estate taxes of persons 65 or older or permanently and totally disabled regardless of annual income or financial worth. Localities would be directly authorized to pass such ordinances, and the General Assembly would be prohibited from legislating in regard to such matters except that it may define those persons who are permanently and totally disabled. The current real estate tax relief provisions in the Constitution require that the General Assembly pass enabling legislation for local real estate tax relief programs and also require that such programs be limited to persons 65 or older or permanently and totally disabled who bear an extraordinary real estate tax burden in relationship to their income and financial worth.

Patron - Wagner

SJ375 Constitutional amendment (first resolution); aid to nonpublic higher education. Strikes the language that prohibits the General Assembly from providing loans to, and grants to or on behalf of, students attending nonprofit institutions of higher education for collegiate or graduate education at institutions that primarily provide religious training or theological education.

Patron - Ruff

SJ381 Constitutional amendment (first resolution); highway and transportation trust funds; general funds. Provides that various transportation funds will be permanent funds and will be funded annually by revenue sources in place on January 1, 2005. The amendment limits the use of transportation funds to transportation and related purposes. The General Assembly may borrow from transportation funds for other purposes only by a vote of four-fifths of the members voting in each house, and the loan must be repaid with reasonable interest within four years. The amendment prohibits appropriations of general funds for transportation purposes subject to the same four-fifths vote requirement for exceptions to the prohibition. This resolution has been incorporated into a substitute for SJR 316 reported by the Senate Committee on Privileges and Elections.

Patron - Howell

FSJ384 Constitutional amendment (first resolution); assessment of real property. Provides that beginning with the 2008 tax year, real property shall be assessed for tax purposes at no more than 102 percent of the assessed value of such property in the preceding tax year. However, if real property is sold, transferred, improved, or rezoned at the owner's request, it shall be assessed at fair market value for the tax year in which such event occurs. Such fair market value assessment shall then be subject to the two percent limitation in subsequent tax years until such time as the property is again sold, transferred, improved, or rezoned at the owner's request. This resolution incorporates SJR 329.

Patron - Hanger

FSJ399 Constitutional amendment (first resolution); Transportation Trust Fund. Provides that the Transportation Trust Fund established in 1986 will be a permanent fund and receive all revenues generated by the 1986 package of tax and fee increases and any later enactments dedicating additional revenues to the Fund. The amendment limits the use of Trust Fund moneys to purposes of highway construction, maintenance, and improvements, public transportation, railways, seaports, and airports. This resolution has been incorporated into a substitute for SJR 310 reported by the Senate Committee on Privileges and Elections.

Patron - Howell

FSJ401 Constitutional amendment (first resolution); Governor's term of office. Permits the Governor to succeed himself in office. The amendment allows two four-year terms (either in succession or not in succession) but prohibits election to a third term. The amendment allows Governors elected in 2009 and thereafter to serve two successive terms. Service for more than two years of a partial term counts as service for one term. This resolution is a recommendation of the Joint Subcommittee to Study the Appropriate Balance of Power between the Legislative and Executive Branches to Support a Two-Term Governor in the Commonwealth (HJR 13, 2004). The proposed constitutional amendment in this resolution is identical to that in SJR 410 and HJR 652. This resolution incorporates SJ 410.

Patron - Locke

FSJ405 Constitutional amendment (first resolution); property exempt from taxation. Authorizes the General Assembly to enact legislation that will permit localities to provide an exemption from tangible personal property taxation up to the first \$20,000 of fair market value for passenger cars, motorcycles, and pickup or panel trucks that are owned or leased by a natural person and used for nonbusiness purposes.

Patron - Bell

FSJ407 Constitutional amendment (first resolution); Governor's term of office. Provides that the governor's term of office will be six years. The proposal retains the present provisions that prohibit a governor from serving successive terms and allow service of additional terms not in succession. The terms of the lieutenant governor and attorney general will also be six years under this proposal pursuant to other sections of the Constitution that specify that the lieutenant governor and attorney general serve for the same term as the governor. There is no limit on the number of terms that the lieutenant governor and attorney general may serve.

Patron - Devolites Davis

FSJ408 Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in any fiscal year to the preceding year's total appropriations plus a percentage increase equal to the rate of inflation plus a factor for

population increases. The bill provides that if excess revenues are less than or equal to one-half of one percent of the limitation, the total excess shall be deposited into the Revenue Stabilization Fund and the general fund. If excess revenues are greater than one-half of one percent of the limitation, a portion of the excess revenues shall be returned to individual income taxpayers. "Total appropriations" is defined to exclude moneys appropriated that are received from the federal government or an agency or unit thereof. The General Assembly may make appropriations in excess of the limitation only by a vote equal to or greater than 60 percent of the members voting in each house, including a majority of the members elected to that house.

Patron - Cuccinelli

FSJ409 Constitutional amendment (first resolution); Transportation Trust Fund. Provides that the Transportation Trust Fund established in 1986 will be a permanent fund and be funded annually by the General Assembly by appropriations equivalent to the revenues generated by the 1986 package of tax and fee increases or the appropriation for the fiscal year ending June 30, 2005, whichever is greater. The amendment limits the use of Fund moneys to highway construction, reconstruction, maintenance, and improvements, public transportation, railways, seaports, and airports. The General Assembly may borrow from the Fund for other purposes or reduce the level of required appropriations to the Fund only by a two-thirds-plus-one vote of members in each house, and the loan or reduction must be repaid within four years. This resolution has been incorporated into a substitute for SJR 310 reported by the Senate Committee on Privileges and Elections.

Patron - Bolling

FSJ410 Constitutional amendment (first resolution); Governor's term of office. Permits the Governor to succeed himself in office. The amendment allows two four-year terms (either in succession or not in succession) but prohibits election to a third term. The amendment allows Governors elected in 2009 and thereafter to serve two successive terms. Service for more than two years of a partial term counts as service for one term. The proposed constitutional amendment in this resolution is identical to that in SJR 401 and HJR 652 and has been incorporated into SJR 401.

Patron - Bolling

FSJ449 Constitutional amendment (first resolution); property exempt from taxation. Authorizes the General Assembly to enact legislation that will permit localities to exempt from property taxes up to the first \$100,000 of value of real estate designed for continuous habitation, owned and occupied by the same individuals as their dwelling.

Patron - Whipple

Other Resolutions

Passed

PHJ526 Portrait; Governor Warner. Establishes a committee for the purpose of commissioning a portrait of Governor Mark R. Warner for display in the Capitol.

Patron - Griffith

PHJ669 Youth Political Education Day. Designates the Tuesday before Election Day each year as Youth Political Education Day in Virginia.

Patron - Janis

[P]HJ688 Teenage Dating Abuse. Designates the first week in October in 2005, and in each succeeding year, as Teenage Dating Abuse Awareness Week in Virginia.

Patron - Armstrong

[P]HJ706 Boy Scouts' right to assembly. Expresses the General Assembly's support of the right of the Boy Scouts of America to assemble and use the facilities of the United States Armed Services within the federal government rules and regulations, as well as the facilities of the Virginia National Guard subject to the approval of its Adjutant General and within federal government rules and regulations for the use of these facilities.

Patron - Fralin

[P]HJ711 Hydrogen energy. Expresses the General Assembly's support for the Virginia Hydrogen Energy Plan.

Patron - McDonnell

[P]HJ750 Holocaust museum. Designates the Virginia Holocaust Museum as the official museum in the Commonwealth for the commemoration of the Holocaust.

Patron - O'Bannon

[P]HJ768 Promote spaying and neutering of companion animals. Encourages local governments to support the spaying and neutering of companion animals by providing incentives to citizens.

Patron - Ward

[P]HJ770 Child day centers. Expresses the General Assembly's support for the suspension or repeal of the amended regulation, 22 VAC 15-30, Standards for Licensed Child Day Centers.

Patron - Marrs

[P]HJ789 Heartland Corridor. Expresses the support of the General Assembly for the Heartland Corridor rail project, linking the ports of Hampton Roads to markets in the Midwest.

Patron - Fralin

[P]HJ850 Stafford County Youth Driver Task Force. Commends the work of the task force and reaffirms the General Assembly's commitment to improving driving conditions for the young people of the Commonwealth.

Patron - Howell, W.J.

[P]HR40 Confirming a nomination to the House Ethics Advisory Panel. Confirms the nomination of the Honorable William Whitney Sweeney by the Speaker of the House of Delegates to serve on the Panel for a four-year term beginning July 1, 2005, to succeed himself.

Patron - Ingram

[P]SJ319 Designating February 4, in 2005, and in each succeeding year, as Give Kids A Smile Day in Virginia. Designates February 4, in 2005, and in each succeeding year, as Give Kids A Smile Day in Virginia to recognize and care for the oral health needs of children, and encourage Virginia dental professionals to participate in the observance of "National Give Kids A Smile Day," by providing free oral health care to children, particularly low-income children, and conducting educational activities to heighten public awareness concerning oral health care. This resolution is a recommendation of the Joint Subcommittee Studying Access to and Costs of Oral Health Care in Virginia.

Patron - Marsh

[P]SJ320 Designating February, in 2005, and in each succeeding year, as Children's Dental Health Month in Virginia. Designates February, in 2005, and in each succeeding year, as Children's Dental Health Month in Virginia to recognize and care for the oral health needs of children, raise public awareness of the importance of oral health to total health, and participate in the observance of National Children's Dental Health Month. This resolution is a recommendation of the Joint Subcommittee Studying Access to and Costs of Oral Health Care in Virginia.

Patron - Marsh

[P]SJ332 Rotary Day in Virginia. Designates February 23, 2005, as Rotary Day in Virginia in honor of the centennial of Rotary International.

Patron - O'Brien

[P]SJ372 Anniversary of the Virginians with Disabilities Act. Commemorates the 20th anniversary of the Virginians with Disabilities Act. This landmark legislation preceded the Americans with Disabilities Act (ADA) by more than five years and was considered by many to be the model for the federal legislation that created the ADA.

Patron - Whipple

Failed

[F]HJ539 Prostate Cancer Awareness Month. Designates the month of September, in 2005, and in each succeeding year, as Prostate Cancer Awareness Month in Virginia.

Patron - Cosgrove

[F]HJ552 Macedonia. Supports the rights of Macedonians living throughout the Balkans to speak their language, to practice their customs, and to be granted all of the civil and human rights required by international law.

Patron - Frederick

[F]HJ599 Department of General Services; construction contracts. Encourages the Department of General Services to recognize and incorporate the Leadership in Energy and Environmental Design (LEED) Green Building Rating System of energy, environmental, and sustainability concepts into state and local practices for the design and procurement of construction projects to the extent such concepts are feasible and reasonable for the particular project.

Patron - Van Yahres

[F]HJ600 Local school boards and local governing bodies; construction contracts. Encourages local school boards and local governing bodies, in cooperation with the Department of General Services, to recognize and incorporate the Leadership in Energy and Environmental Design (LEED) Green Building Rating System into state and local practices for the design and procurement of construction projects to the extent such concepts are feasible and reasonable for the particular project.

Patron - Van Yahres

[F]HJ601 Boards of Visitors at Virginia's public institutions of higher learning; construction projects. Encourages the Boards of Visitors at Virginia's public institutions of higher education, in cooperation with the Department of General Services, to recognize and incorporate the Leadership in Energy and Environmental Design (LEED) Green Building Rating System into state and local practices for the design and procurement of construction projects.

Patron - Van Yahres

FHJ602 English as official language. Memorializes the Congress of the United States to enact legislation to make English the official language of the United States.

Patron - Parrish

FHJ624 Memorialize; offshore natural gas exploration. Memorializes the Congress of the United States to consider lifting the existing Outer Continental Shelf moratorium on oil and natural gas drilling off the mid-Atlantic coast.

Patron - Saxman

FHJ632 Prescription drugs from Canada. Memorializes the United States Congress to remove current restrictions on the purchasing of prescription drugs from Canada.

Patron - Armstrong

FHJ694 Statistics on passenger rail carriers. Requests that Amtrak and Virginia Railway Express report statistics on their "on-time" reliability to the Department of Transportation and the General Assembly.

Patron - Petersen

FHJ718 Purchasing of prescription drugs from other countries. Memorializes the United States Secretary of Health and Human Services to approve the purchasing of prescription drugs from other countries.

Patron - Hall

FHJ798 Recognition and incorporation of Green Globes environmental assessment tool. Encourages the Commonwealth to recognize and incorporate the Green Globes environmental assessment tool into state and local practices for the design and procurement of building construction projects.

Patron - Sherwood

FHJ813 NASA funding. Memorializes the Congress of the United States to enact and fully fund the proposed vision for the NASA exploration program and expresses the General Assembly's support for NASA's current and proposed programs.

Patron - BaCote

FHJ815 Official Transit Museum. Designates the Commonwealth Coach and Trolley Museum, Inc., in Roanoke as the Official Transit Museum of the Commonwealth.

Patron - Fralin

FHR28 Memorializing the United States Senate; confirm Supreme Court nominees. Urges the United States Senate during the 109th Congress to expeditiously confirm all nominations to the United States Supreme Court by the President.

Patron - Black

FHR29 Federal excise tax. Urges the Congress of the United States to repeal the federal excise tax on telecommunications.

Patron - Black

F SJ321 Job bank for oral health care professionals. Encourages the Virginia Dental Association to continue the online job bank for oral health care professionals. The job bank is instrumental in helping to address the maldistribution of dentists and providing employment information to oral health care professionals. This resolution was considered by the Joint Subcommittee Studying Access to and Costs of Oral Health Care.

Patron - Marsh

F SJ333 Memorializing the Congress; Help America Vote Act funding. Urges Congress to provide full funding for states under the Help America Vote Act.

Patron - Devolites Davis

F SJ391 Purchasing of prescription drugs from other countries. Urges the United States Secretary of Health and Human Services to approve the purchasing of prescription drugs from other countries.

Patron - Reynolds

F SJ411 Purchasing of prescription drugs from other countries. Memorializes the United States Secretary of Health and Human Services to approve the purchasing of prescription drugs from other countries.

Patron - Reynolds

F SJ441 Memorializing the Congress; Federal Burial Allowance. Urges Congress to increase the federal burial allowance from \$300 to \$750.

Patron - Saslaw

F SJ442 Lorton Arts Center. Expresses the General Assembly's support of the Lorton Workhouse Arts Center at the former District of Columbia prison facility on Route 123 in Lorton.

Patron - O'Brien

Miscellaneous (Including Budget and Bonds)

Passed

P HB1500 Budget Bill. Amends appropriations for the 2004-06 biennium.

Patron - Callahan

P HB1801 Virginia Biotechnology Research Partnership Authority; Biotechnology Macro Partnership. Creates a panel to make decisions about the Commonwealth's biotechnology investments, upon implementation of any state-wide program, referred to as the Virginia Biotechnology Macro. Certain provisions of the bill will expire on July 1, 2010.

Patron - Watts

P HB1897 Award of service pistol and shotgun. Allows Anthony A. Lippa, Junior, a former First Sergeant of the Virginia Department of State Police, to purchase his service pistol and shotgun.

Patron - Carrico

P HB2047 Commonwealth of Virginia Higher Educational Institutions Bond Act of 2005. Authorizes the Treasury Board to issue general obligation bonds of the Commonwealth, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, in an aggregate principal amount not exceeding \$10,563,000, to fund specified capital projects at George Mason University, University of Virginia's College at Wise, and Virginia Military Institute. The bill states that an emergency exists and that the bill is in force from its passage. This bill is identical to SB 939.

Patron - Callahan

P HB2341 Claims; H. Steven Arrington, Carolyn Dixon, and E. Anthony Ware. Provides relief in the amount

of \$1,500 for the relief of H. Steven Arrington; \$1,125 for the relief of Carolyn Dixon; and \$1,022 for the relief of E. Anthony Ware for attorneys' fees incurred in connection with a contested election for the District 5 representative for the Bedford County Board of Supervisors and School Board. The Bedford County registrar inadvertently placed in the district several registered voters who should have been placed in another district. A special three-judge panel ruled that the election was invalid and that the results were invalid.

Patron - Putney

P HB2566 Claims; Walter S. Lingebach. Provides relief to Walter S. Lingebach. In 1971 Mr. Lingebach purchased real property in Northumberland County pursuant to the treasurer's delinquent tax sale. Under law at the time, Mr. Lingebach would have been eligible after a number of years to make application to obtain clear title; however, a statute that would have permitted him to continue the process to completion was repealed in 1984 pursuant to the recodification of Title 58 of the Code of Virginia because it was deemed "obsolete." The bill would allow Mr. Lingebach to complete the process that he had already begun and has a July 1, 2007, sunset clause. This bill also contains an emergency clause.

Patron - Tata

P HB2747 Claims; Beulah K. Davidson. Provides relief for Beulah K. Davidson, consisting of a lump sum payment of \$1,050.00 to be paid by August 1, 2005. Ms. Davidson's mother purchased property at an escheat sale to which the Commonwealth is unable to convey interest. Ms. Davidson's mother paid \$1,050.00 for the property.

Patron - Phillips

P HB2891 Board of Corrections; real property conveyed to Town of Marion. Authorizes the Board of Corrections to convey without consideration certain property in its custody to the Town of Marion.

Patron - Carrico

P SB939 Commonwealth of Virginia Higher Educational Institutions Bond Act of 2005. Authorizes the Treasury Board to issue general obligation bonds of the Commonwealth, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, in an aggregate principal amount not exceeding \$10,563,000, to fund specified capital projects at George Mason University, University of Virginia's College at Wise, and Virginia Military Institute. The bill states that an emergency exists and that the bill is in force from its passage. This bill is identical to HB 2047.

Patron - Chichester

P SB943 Department of State Police; conveyance of easement to Earl J. Nipper. Authorizes the Virginia Department of State Police to grant an easement to Earl J. Nipper sufficient to provide access to his property situated behind the Virginia State Police Headquarters building on State Route 19 in Tazewell County, Virginia.

Patron - Puckett

P SB1312 Property transfer; College of William and Mary. Authorizes The College of William and Mary, with the approval of the Governor and in a form approved by the Attorney General, to exchange certain real estate within the City of Williamsburg.

Patron - Norment

Failed

F HB2016 Claims; Howard M. and Inez O. Berry. Provides \$400,000 in relief to Howard M. and Inez O. Berry of Midlothian, Virginia. The Berrys' daughter, Jo Ann Berry, was killed in an automobile accident in 1977 caused by a juvenile driver. The driver was charged with involuntary manslaughter, but the case never went to trial. The Berrys could not get any information on the disposition of the case because of the driver's status as a minor and were told they would have to wait for 20 years. When the Berrys attempted to get the information in 1999, they discovered that the records had been destroyed.

Patron - Hall

F HB2048 Virginia Public Building Authority; museums and cultural and arts facilities. Authorizes the Virginia Public Building Authority to issue bonds in a principal amount not to exceed \$85,625,000 to fund and construct specific capital projects for museums and cultural and arts facilities in the Commonwealth. This bill is identical to SB 1129.

Patron - Callahan

F HB2182 Claims; Andrew Patrick Kidder. Provides relief to Andrew Patrick Kidder by directing the Birth-Related Neurological Injury Compensation Program (Program) to provide (i) all benefits for which he would have been entitled under the Program, and (ii) reimbursement of expenses incurred by the parents of Andrew Patrick Kidder to care for him since February 28, 1990, that would have been covered by the Program.

Patron - Tata

F HB2185 Claims; Sean and Jennie Barrett. Provides relief for Sean and Jennie Barrett (the Barretts) in the amount of \$11,821.00 to be allocated from the Onsite Sewage Indemnification Fund for damages they incurred as a result of a malfunctioning septic system for their home.

Patron - Hargrove

F HB2344 Claims; Laura B. Rodes. Provides relief in the amount of \$1,500 to Laura B. Rodes for legal fees she incurred in connection with her petition for a recount of votes cast in the November 2, 2004, election for the District 5 school board seat in Bedford County. Ms. Rodes lost the election by one vote and petitioned the Bedford County Circuit court for the recount. Since the margin was less than one half of one percent of the total votes cast, the costs of the recount were paid by the County, with the exception of the attorneys' fees incurred by Ms. Rodes.

Patron - Putney

F HB2617 Claims; Robert and Barbara Morrison. Provides relief in the amount of \$498,550 to Robert and Barbara Morrison to repair the septic system servicing their home and to reimburse them for costs they have incurred since the system failed. The Virginia Health Department initially approved the location and final installation of the septic system but, within one year, revoked the approval citing, among other things, inaccuracy of the site and soil test used by the Department.

Patron - Orrock

F HB2619 Claims; Timothy Q. Johnson, Sr., Karen Johnson and Timothy Q. Johnson, Jr. Provides \$50,000 in relief to Timothy Q. Johnson, Sr., Karen Johnson and Timothy Q. Johnson, Jr. Timothy Johnson, Jr. is alleged to have suffered permanent brain injury and other disabilities as the result of

nearly drowning while attending a summer camp program operated by the Prince William County Park Authority.

Patron - Ingram

HB2687 Claims; Judy Boysha. Provides \$229.24 in relief to Judy Boysha of King George, Virginia. Ms. Boysha's car was damaged by a hole in the road located at a railroad crossing. The Virginia Department of Transportation failed to place markings on the roadway to warn motorists of the hazardous road condition despite being notified previously of the hazardous condition.

Patron - Pollard

HB2748 Claims; Marianne Z. Knight. Allows Marianne Z. Knight to purchase two years of creditable service for retirement purposes. Ms. Knight was employed as a teacher by the Henrico County Public School System between 1961 and 2001, though she left the system at different intervals to teach in school systems located in other jurisdictions for a total of 6 years. She purchased four years of creditable service using the pre-tax payroll deduction believing that any portion of the service years remaining at the time of her retirement could be purchased with a lump sum payment. When she retired with two years remaining to be purchased, she was informed by the Virginia Retirement System that she could not purchase the remaining years because she had chosen the pre-tax payroll deduction option to purchase the years while she was employed.

Patron - O'Bannon

HB2757 Claims; Beverly Q. Russell. Provides for Beverly Q. Russell to elect to have the Department of Human Resource Management enroll her in the State Retirement Health Benefits Program. When Ms. Russell retired on disability on February 1, 1997, she chose the option providing for a higher monthly retirement benefit payment, but did not realize that in doing so she was opting out of the state retiree health benefits program.

Patron - Griffith

HB2782 Claims; Michael A. Fabyanic. Provides relief in the amount of \$12,000 to Michael A. Fabyanic to reimburse him for legal fees he incurred in his defense of a civil suit filed against him for actions that occurred while he was on duty as a deputy sheriff in Frederick County.

Patron - Black

SB700 Budget Bill. Amends appropriations for the 2004-06 biennium.

Patron - Chichester

SB871 Biennial appropriation act. Provides that the Commonwealth's biennial appropriations shall start on July 1 of odd-numbered years beginning with the biennial appropriation act for the period July 1, 2009, through June 30, 2011. The bill would require that the fiscal year beginning July 1, 2008, would not be a part of any biennial appropriation act (i.e., it would be a single-year budget).

Patron - Cuccinelli

SB1031 Claims; County of Henrico. Provides relief to certain citizens of the County of Henrico for the cost of improvements, not to exceed \$28,734 in the aggregate, to six private wells that went dry in the vicinity of the construction near Interstate 895.

Patron - Lambert

SB1128 Claims; Robert and Barbara Morrison. Provides relief in the amount of \$90,000 to Robert and Barbara Morrison to repair the septic system servicing their home and

to reimburse them for costs they have incurred since the system failed. The Virginia Health Department initially approved the location and final installation of the septic system but, within one year, revoked the approval citing, among other things, inaccuracy of the site and soil test used by the Department.

Patron - Houck

SB1129 Virginia Public Building Authority; museums and cultural and arts facilities. Authorizes the Virginia Public Building Authority to issue bonds in a principal amount not to exceed \$85,625,000 to fund and construct specific capital projects for museums and cultural and arts facilities in the Commonwealth. This bill is identical to HB 2048.

Patron - Lambert

SB1345 Claims; Henry Ridge. Provides an amount to be determined by the Commonwealth Transportation Commissioner in relief for Henry Ridge. Mr. Ridge received additional payment for the Stafford County property upon which the Commonwealth Transportation Commissioner exercised eminent domain. However, he received no interest award on the additional payment due to the interest rate applied by § 33.1-128 being negative. Section 33.1-128 was amended during the 2003 Session and made retroactive, but Mr. Ridge's situation still does not qualify for retroactive application of the amended section. Mr. Ridge is seeking the amount he would receive if he qualified for retroactive application of the amended section.

Patron - Colgan

Study Resolutions

Passed

HJ551 Highway noises abatement. Establishes a six-member joint subcommittee to conduct a two-year study to identify materials, technologies, techniques, actions, and strategies related to both highway planning and construction in order to identify those that will provide the greatest amount of noise abatement for the lowest cost, and the situations in which each of them may best be employed.

Patron - Frederick

HJ573 Criminal street gangs. Directs the Virginia State Crime Commission to study criminal street gang conduct and characteristics for the purpose of reducing the burden on prosecutors by producing a formal listing of gang names coupled with conduct and characteristics unique to those gangs.

Patron - Albo

HJ588 Stem cell research. Establishes a joint subcommittee to study medical, ethical, and scientific issues relating to stem cell research conducted in the Commonwealth. The joint subcommittee shall examine the medical, ethical, and scientific policy implications of stem cell research, and the efficacy of research using both adult and embryonic stem cells.

Patron - Marshall, R.G.

HJ598 Biodiesel fuel use and production. Requests the Secretary of Agriculture and Forestry to study the use and production of biodiesel fuel in Virginia.

Patron - Parrish

HJ625 Exploring offshore natural gas. Requests the Secretary of Commerce and Trade to study the possibility of exploring for natural gas in coastal areas of the Commonwealth. The Secretary shall include recommended legislation

that could permit drilling for natural gas off the Commonwealth's coast.

Patron - Saxman

PHJ640 Funding options for Chesapeake Bay cleanup. Establishes an eight-member joint subcommittee to study options to provide a long-term funding source to clean up Virginia's polluted waters, including the Chesapeake Bay and its tributaries. The six legislative members are the chairmen of the money committees and the chairmen of the committees of oversight in the House and Senate. The Secretary of Natural Resources and the Secretary of Agriculture or their designees serve as ex officio voting members.

Patron - Callahan

PHJ643 Land application of biosolids. Directs the Joint Legislative Audit and Review Commission to study the land application of biosolids. The Commission shall evaluate (i) the current level of funding, staffing and resources available to the Virginia Department of Health for oversight and enforcement of the Virginia Biosolids Program; (ii) resources available to assist local governments with implementation of their biosolids inspection and monitoring authority; (iii) programs to ensure the proper training and support of local biosolids monitors; (iv) incentives to encourage sharing of information and resources among local governments, including the use of regional or multi-jurisdictional monitors; and (v) measures to encourage and assist coordination and communication between the Virginia Department of Health and local governments so as to ensure consistency and efficiency in complaint response and enforcement.

Patron - Hogan

PHJ646 Funding for the Birth-Related Neurological Injury Compensation Fund. Requests the Virginia Birth-Related Neurological Injury Compensation Program, with the assistance of the State Corporation Commission, the Office of the Attorney General, the State Workers' Compensation Commission, and other state agencies to develop recommendations for adequately funding the Birth-Related Neurological Injury Compensation Fund.

Patron - Tata

PHJ656 Eliminate/consolidate taxes and fees that are inefficient to collect. Establishes a joint committee to study the taxes, assessments, and fees imposed by the Commonwealth that generate little revenue. The joint subcommittee is charged with examining if administrative costs can be reduced if smaller taxes and fees are consolidated into larger ones which can be collected more efficiently.

Patron - Spruill

PHJ657 "No wrong door" approach for long-term care services. Requests the Secretary of Health and Human Services to study a "no wrong door" approach for long-term care services in the Commonwealth.

Patron - Rust

PHJ664 Administration of local cigarette taxes. Requests that the Department of Taxation study the feasibility of establishing uniformity and consistency among Virginia's localities in the design and use of tax stamps as evidence of payment of local cigarette taxes by tobacco wholesalers.

Patron - Abbitt

PHJ668 Costs of college textbooks and textbook purchasing practices of public institutions of higher education. Requests the State Council of Higher Education to study the rising costs of college textbooks and textbook purchasing practices of public institutions of higher education in the Common-

wealth. The State Council for Higher Education must submit its executive summary and report of its findings and recommendations to the 2006 Regular Session of the General Assembly.

Patron - Oder

PHJ685 Private youth and single family group homes. Creates a joint subcommittee to study private youth and single family group homes in the Commonwealth. The joint subcommittee shall (i) analyze the licensing requirements and enforcement of licensing standards, the need to notify localities of licensing violations in those localities, the rationale for and impact of concentrations of homes in certain communities, the appropriate siting requirements for such homes, and other issues that affect the integration of youth group home residents into the community; and (ii) study the excessive concentration of single family group homes in certain neighborhoods, the adverse effects of this concentration on the residents of single family group homes, the adverse effects of this concentration on those neighborhoods, and feasible regulatory alternatives that would result in more appropriate locations of single family group homes for the mutual benefit of the residents thereof and the affected neighborhoods. This resolution incorporates HJR 703.

Patron - Hall

PHJ686 Common interest communities. Requests the Virginia Real Estate Board to review the study performed by the Old Dominion University Center for Real Estate and Economic Development on common interest communities, which was funded through a grant from the Virginia Department of Professional and Occupational Regulation and the Virginia Real Estate Board. That study includes an analysis of the adequacy of training of, and disclosure of financial information to consumers by, financially compensated professional managers of condominium associations, property owners' associations, and other similar common interest communities. The Board shall report its findings to the Governor and General Assembly by the first day of the 2006 Session of the General Assembly.

Patron - Suit

PHJ689 Cost-effective toll collection. Directs the Joint Commission on Technology and Science to study technologies available for cost-effective toll collection.

Patron - Nixon

PHJ704 Medical malpractice. Continues the Joint Subcommittee Studying Risk Management Plans for Physicians and Hospitals to study various aspects of medical malpractice in Virginia. The resolution also requests the State Corporation Commission to assess the medical malpractice rates for certain medical specialties including neurosurgery, obstetrics and gynecology, orthopedics, emergency medicine, and anesthesiology in Virginia under the current regulatory structure and determine the probable effects of the availability and affordability of medical malpractice insurance for these specialties if Virginia requires prior approval of the rates rather than continuing to regulate these rates under existing file and use provisions. This resolution is identical to SJR 394.

Patron - Athey

PHJ707 Two-term Governor. Continues and renames the Joint Subcommittee to Study the Appropriate Balance of Power Between the Legislative and Executive Branches to Support a Two-Term Governor in the Commonwealth as the Joint Subcommittee to Study the Appropriate Balance of Power Between the Legislative and Executive Branches. During its second year of study, the joint subcommittee will continue to review proposals to (i) lengthen the session to 60 days in the odd-numbered years, (ii) shift the budget cycle, (iii) pro-

vide for annual budgets, (iv) create an independent economic and revenue forecasting commission, (v) allow for legislative veto or suspension of administrative regulations, (vi) increase legislative oversight of the boards of visitors of the public institutions of higher education and the Commonwealth Transportation Board, and (vii) establish an appropriate balance of powers between the legislative and executive branches as the joint subcommittee deems appropriate. The joint subcommittee must submit an executive summary of its findings and recommendations to the 2006 Session of the General Assembly.

Patron - Landes

P**HJ710** **200th anniversary celebration of the birth of Robert E. Lee.** Establishes a joint subcommittee to plan and coordinate the 200th anniversary celebration of the birth of Robert E. Lee. This resolution is identical to SJR 382.

Patron - Cline

P**HJ713** **Workforce development and training.** Establishes a joint subcommittee to study the need for greater consolidation or coordination of the workforce development and training resources available in the Commonwealth.

Patron - Byron

P**HJ747** **Relocating the Museum and White House of the Confederacy.** Establishes a joint subcommittee to examine the cost and feasibility of relocating the Museum and White House of the Confederacy.

Patron - Janis

P**HJ790** **Memorial commission; civil rights.** Expresses the General Assembly's support for the establishment by the Governor of a memorial commission to pay tribute to the civil rights movement in Virginia.

Patron - Bryant

P**HJ817** **Virginia Law Enforcement Memorial.** Supports the establishment of a memorial commission by the Governor to pay tribute to Virginia's first responders killed in the line of duty.

Patron - Reese

P**SJ273** **Prisoner reentry.** Establishes a joint subcommittee to study the Commonwealth's program for prisoner reentry to society. In conducting its study, the joint subcommittee shall continue the work of the Prisoner Reentry State Policy Academy established by the National Governors Association in identifying and developing strategies to address key needs and overcome barriers for offenders, prior to and upon leaving prison, to reduce the incidence of reincarceration and increase their successful social adaptation and integration into their communities.

Patron - Puller

P**SJ324** **Patients found not guilty by reason of insanity and persons found incompetent to stand trial.** Directs the Joint Commission on Health Care, through its Behavioral Health Care Subcommittee, to study the needs of patients found not guilty by reason of insanity and persons found incompetent to stand trial. The objectives of the study include (i) determining the appropriate treatment of acquittees; (ii) reviewing and revising diagnostic categories that are amenable to treatment and therefore eligible for inclusion as a possible NGRI defense; (iii) examining discharge alternatives that will expedite return to the community as well as free up acute care psychiatric beds; (iv) exploring the advisability and feasibility of coordination between the Department of Mental Health, Mental Retardation and Substance Abuse Services, local community services boards and the criminal justice system when an acquittee violates conditions of release that are not related to

a psychiatric illness and therefore not appropriate for rehospitalization; and (v) determine the needs and impact of persons found incompetent to stand trial on the mental health state system.

Patron - Puller

P**SJ330** **Regulation of the towing and recovery industry.** Establishes a joint subcommittee to study regulation of the vehicle towing and recovery industry by the Department of Professional and Occupational Regulation.

Patron - O'Brien

P**SJ331** **Virginia's adoption laws and policies.** Establishes a joint subcommittee to study Virginia's adoption laws and policies. In conducting its study, the joint subcommittee shall do a comprehensive review of Virginia's adoption laws, with special emphasis paid to the recognition and effect given to foreign adoption decrees, and determine whether such laws can be rewritten and reorganized to give clear and consistent guidance to persons using the laws. This resolution incorporates SJR 392.

Patron - O'Brien

P**SJ336** **Clerks' offices.** Establishes a joint subcommittee to study the operations of circuit court clerks' offices.

Patron - Mims

P**SJ360** **Regulatory burden on Virginia manufacturers.** Directs the Joint Legislative Audit and Review Commission to study the comparative burden of regulatory compliance on Virginia's manufacturing sector. The Commission shall evaluate the total costs on Virginia manufacturers of complying with state and federal regulations; the burden imposed on Virginia manufacturers compared to the burden imposed on other sectors of Virginia's economy; and the burden imposed on Virginia manufacturers compared to the regulatory compliance burdens on manufacturers in other mid-Atlantic and Southern states.

Patron - Wagner

P**SJ361** **Continuing the joint subcommittee studying the needs of the manufacturing sector and the future of manufacturing in Virginia.** Continues for one year the joint subcommittee established in 2004 by SJR 64 to study manufacturing needs and the future of manufacturing in Virginia. The joint subcommittee is directed to (i) determine how the manufacturing sector's needs may be addressed quickly, efficiently, and cost-effectively and (ii) consider what role state and local governments should have in this endeavor.

Patron - Wagner

P**SJ367** **Study of incentives for forestland owners.** Continues the Board of Forestry's study of incentives to private landowners to hold and preserve their forestlands.

Patron - Ticer

P**SJ371** **Voting equipment study; additional members.** Adds two nonlegislative, nonvoting citizen members with computer security expertise to the Joint Subcommittee to Study the Certification Process for Voting Equipment and Matters Related to the Performance and Proper Deployment of Voting Equipment.

Patron - Whipple

P**SJ376** **Virginia Housing Commission; exempting nonprofit organizations that construct housing for low-income persons from certain zoning provisions.** Directs the Virginia Housing Commission to study the feasibility of exempting nonprofit organizations that construct housing for

low-income persons from zoning provisions that limit how and when property may be subdivided into individual lots.

Patron - Houck

[P]SJ380 Lead poisoning prevention. Continues the Joint Subcommittee Studying Lead Poisoning Prevention for one year, with authority to hold two meetings. In conducting its 2005 study, the joint subcommittee will monitor the evolution of the data-sharing partnership established in § 32.1-127.1:04; monitor the completion of the reference database of statewide health-related data elements required by SB 565 of 2004; examine issues relating to lead poisoning among immigrant and adopted children; and seek to assist the Department of Health and the Department of Housing and Community Development in every appropriate way in maintaining federal funding.

Patron - Lambert

[P]SJ382 200th anniversary celebration of the birth of Robert E. Lee. Establishes a joint subcommittee to plan and coordinate the 200th anniversary celebration of the birth of Robert E. Lee. This resolution is identical to HJR 710.

Patron - Hanger

[P]SJ393 Local firearms hunting ordinances. Continues the 2004 study requesting the Department of Game and Inland Fisheries to study local firearms hunting ordinances. The agency was requested to examine, among other issues, how these ordinances can be made more uniform and consistent across the Commonwealth, with particular attention paid to the development and use of model ordinances that would lead to an easier understanding by the public of the hunting laws.

Patron - Stolle

[P]SJ394 Medical malpractice. Continues the Joint Subcommittee Studying Risk Management Plans for Physicians and Hospitals to study various aspects of medical malpractice in Virginia. This resolution is identical to HJR 704.

Patron - Newman

[P]SJ403 Industry certifications and state licensure tests. Requests the Board of Education to study the permanent use of industry certifications and state licensure tests for the award of verified units of credit in the public schools. In conducting its study, the Board of Education shall (i) examine the suitability of additional industry testing programs that could be used as substitute tests for students to earn verified units of credit for graduation; (ii) determine how to increase the emphasis on career and technical education for creating greater equity and applicability to the verified credit system, including, but not limited to, consideration of increasing the number of potential verified credits obtained through industry certifications; and (iii) consider these issues as it reviews and amends the Regulations Establishing Standards of Accrediting Public Schools in Virginia, commonly known as the Standards of Accreditation.

Patron - Wagner

[P]SJ451 Constitutional criminal issues. Directs the Virginia State Crime Commission to study the implications for Virginia of recent United States Supreme Court cases which raise issues on the constitutionality of crime lab certificates and uncontested affidavits used at trial and opinions that call into question the enhancement of sentences on the basis of facts that have not been found by a jury.

Patron - Mims

Failed

[F]HJ572 Chartered institutions. Creates a one-year, 13-member joint subcommittee to study the feasibility and appropriateness of granting chartered institution status to certain public institutions of higher education in the Commonwealth. The joint subcommittee is to consider, among other things, (i) chartered institution status as articulated in HB 1359 and SB 638 (2004); (ii) the impact of similar grants of institutional flexibility in other states; (iii) the potential fiscal and policy implications of such grants on Virginia's system of public higher education as a whole; and (iv) such other matters as it deems appropriate.

Patron - Tata

[F]HJ576 Student attendance. Requests the Department of Education to study the correlation between student attendance and achievement in the Commonwealth and methods of improving attendance.

Patron - Dillard

[F]HJ583 Joint Commission on Health Care be directed to study statewide surveillance of nosocomial infection rates. Directs the Joint Commission on Health Care to study statewide surveillance of nosocomial infection rates. In conducting its study, the Commission shall (i) consult with the Virginia Department of Health regarding the findings of its recent study pertaining to nosocomial infections and mandatory reporting and disclosure of hospital infection rates, including, but not limited to, the findings and recommendations for prevention by the U.S. Centers for Disease Control and Prevention; (ii) review and consider mandatory reporting and disclosure laws of other states and their adaptability in Virginia; (iii) determine the feasibility of mandatory reporting and disclosure of hospital infection rates in the Commonwealth, and the financial impact of such requirements on consumers and the public and private health care sectors; (iv) recommend, in consultation with the Virginia Health Department's advisory group on hospital infections, a means by which current surveillance processes may be standardized to provide meaningful information concerning hospital infection rates to the public; and (v) consider such other related issues as the Commission may deem appropriate to minimize nosocomial infection rates in the Commonwealth. The Commission shall submit its findings and report to the 2006 Session of the General Assembly.

Patron - Purkey

[F]HJ587 Medical errors by health care providers. Requests the Board of Health Professions to study the prevalence of medical errors by health care providers in Virginia. In conducting its study, the Board of Health Professions shall study the current prevalence of medical errors by health care providers in Virginia, the potential reduction of such errors that might result from the provision of effective statutory or regulatory protections and safeguards for medical professionals who report such medical errors, and the efforts of other states to address the issues of medical errors and protection of reporters and make recommendations that address these issues and propose such legislation as may be needed to implement these recommendations.

Patron - Landes

[F]HJ589 Relationship between obesity and school lunch program. Establishes a joint subcommittee to study the relationship between obesity and the school lunch program. In conducting its study, the joint subcommittee shall (i) determine the number of public schools participating in the school breakfast and lunch programs, including the reasons for the nonparticipation of identified public schools; (ii) ascertain the number

of school-age children by school division who are overweight or obese and have related health problems; (iii) review the requirements of the school breakfast and lunch program and plans among participating school divisions to revise such programs to increase healthy food options; (iv) examine the benefits of competitive foods and beverages sold in public schools, and the relationship between the health and physical education curriculum, public health policies, social, economic and cultural influences, and media messages and the incidence of overweight and obese students in the public schools. The joint subcommittee shall provide opportunities for the participation of the Virginia Chapter of the American Academy of Pediatrics, the Virginia Medical Society, the Old Dominion Medical Society, parents, students, the education community, business and industry, and other interested parties to share their perspectives on the issues, problems, and solutions related to childhood obesity. The joint subcommittee must submit an executive summary and report of its findings and recommendations to the 2006 Session of the General Assembly.

Patron - Marshall, R.G.

FHJ596 Virginia Housing Development Authority; comprehensive impact of residential overcrowding on localities. Requests the Virginia Housing Development Authority to study the comprehensive impact of residential overcrowding on localities.

Patron - Parrish

FHJ597 Economic impact of foreign-born residents in Planning District 8. Directs the Joint Legislative Audit and Review Commission to study the economic impact of Virginia's foreign-born population residing within Planning District 8. This study will build upon a prior JLARC study on the acclimation of Virginia's foreign-born population by focusing on the region where over two-thirds of the population is foreign-born.

Patron - Parrish

FHJ617 Virginia Housing Development Authority; availability of affordable housing for active duty military personnel and their families living in Virginia. Requests the Virginia Housing Development Authority to study the availability of affordable housing for active duty military personnel and their families living in Virginia.

Patron - Baskerville

FHJ618 Immunity from liability during emergencies. Requests the Virginia Department of Emergency Management to study whether to grant immunity to emergency personnel for damage caused by their livestock and pets during an emergency or a disaster.

Patron - Orrock

FHJ630 Compensation and benefit plans for state employees. Establishes a joint subcommittee to study the Commonwealth's compensation and benefit plans for state employees. In conducting its study, the subcommittee shall examine the issues of salary compression and inversion and evaluate the Commonwealth's total compensation package, including employee benefits, personnel and management policies and procedures, and formulate recommendations for improvements. The joint subcommittee shall further examine the advisability of establishing the joint subcommittee as a legislative commission of indefinite duration.

Patron - Hall

FHJ639 Constitutional officers. Establishes a joint subcommittee to study the operations, functions, and funding of constitutional officers. The joint subcommittee shall address (i) the current benefits provided by each constitutional officer

to the Commonwealth and its localities, (ii) whether the benefits outweigh the costs, (iii) whether constitutional officers should be elected or appointed, (iv) whether the duties of constitutional officers are appropriate or duplicative in localities with different population sizes, (v) whether alternative methods of State financing for these officers would be feasible and advisable, and (vi) such other related issues as it deems appropriate.

Patron - Welch

FHJ651 Voting equipment study; additional member. Adds one nonlegislative, nonvoting citizen member with computer programming expertise to the Joint Subcommittee to Study the Certification Process for Voting Equipment and Matters Related to the Performance and Proper Deployment of Voting Equipment.

Patron - Hugo

FHJ654 Privatization of highway rest stops. Requests the Virginia Department of Transportation to study the costs and benefits of allowing or recruiting private travel-oriented businesses to locate at or associate with highway rest stops.

Patron - Gear

FHJ655 Fiscal autonomy for elected school boards. Directs the Joint Legislative Audit and Review Commission to study implications of granting fiscal autonomy to elected school boards in the Commonwealth. In conducting its study, the Joint Legislative Audit and Review Commission shall (i) examine state constitutional and statutory issues regarding school board supervisory authority, (ii) study the respective roles of local school boards and the relevant local governing body in delivering and funding public education, and fiscal authority models in other states; and (iii) consider such other issues as it deems appropriate. The Joint Legislative Audit and Review Commission must submit an executive summary of its findings and recommendations to the 2006 Session of the General Assembly.

Patron - Spruill

FHJ658 Menhaden fishing. Requests that a joint subcommittee be established to study the most appropriate means of regulating the fishing of menhaden in the Chesapeake Bay and its tributaries.

Patron - Purkey

FHJ660 Virginia Transportation Priority and Funding Commission. Creates a 30-member Commission to study transportation needs and the resources required to meet them. This resolution has been incorporated into HJR 742.

Patron - Reese

FHJ661 Commissioners of Revenue, Treasurers and Directors of Finance. Directs the Joint Legislative Audit and Review Commission to study the functions and operations of the Commissioners of Revenue, Treasurers, and Directors of Finance. The study shall address (i) the benefits provided by the three local financial officers to the Commonwealth and its localities, (ii) whether the benefits outweigh the costs, (iii) whether alternative methods of State financing for these offices would be feasible and advisable, (iv) whether the State tax assistance function carried out by these local officers is valuable and cost-effective, and (v) such other related issues as it deems appropriate by the Commission.

Patron - Wardrup

FHJ662 Issues relating to transportation in the Commonwealth. Establishes a joint subcommittee to examine (i) whether the Commonwealth's current classification of roads into primary, secondary, and urban systems is the most suitable

for addressing future transportation issues or should be replaced with a functional system that is based upon the usage of roads; (ii) whether the current statutory formula for allocating highway construction funds should be changed to better reflect transportation needs; (iii) the appropriate state and local roles in highway construction and maintenance and the revenue resources that are available to perform such roles; (iv) whether the scope of projects eligible to be built under the Public-Private Transportation Act of 1995 should be more targeted in scope than is currently provided for under the Act and whether the Act should be amended to include private funding requirements from private entities contracting with the government; (v) whether land use and transportation planning decisions should be more integrated and coordinated than they are presently provided for under law; (vi) the composition of the Commonwealth Transportation Board; and (vii) such other transportation-related matters as the joint subcommittee deems appropriate. The joint subcommittee shall develop recommendations directed at placing the Commonwealth in the best position for addressing future transportation issues and challenges. This resolution has been incorporated into HJR 742.

Patron - Wardrup

FHJ663 Construction of an eastern bypass around the Washington, D.C. metropolitan area. Establishes a 10-member joint subcommittee to conduct a one-year study of the feasibility of cooperating with Maryland and Washington, D.C. to plan the construction of an eastern bypass of I-95 from central Virginia to U.S. 50 in Maryland. This resolution has been incorporated into HJR 742.

Patron - Marrs

FHJ665 Capacity to meet educational standards. Directs the Joint Legislative Audit and Review Commission (JLARC) to examine the capacity of the Commonwealth's public education system to meet the standards and requirements of the Standards of Quality, the Standards of Learning, the Standards of Accreditation, and the federal No Child Left Behind Act (NCLB). In conducting its study, JLARC shall, among other things, (i) examine the potential costs imposed by federal requirements for additional assessments, training and employment of highly qualified teachers and instructional paraprofessionals, and enhanced data collection and reporting systems; (ii) identify current federal, state, and local funding levels and the fiscal and personnel resources, programs, and conditions sufficient to enable each school and each student, including at-risk students, to meet the Standards of Quality, the Standards of Learning, the Standards of Accreditation, and NCLB; (iii) determine what additional funding and programmatic changes, if any, are required to build and maintain these resources, programs, and conditions; (iv) make recommendations regarding the effective application of existing resources; and (v) explore such other issues as it deems appropriate.

Patron - Dillard

FHJ666 Medical malpractice insurance rates. Requests the State Corporation Commission to study the implications of requiring that medical malpractice insurance rates for specific medical specialties be subject to prior approval by the Commission, and that loss experience from no state other than Virginia be considered in setting such rates.

Patron - Albo

FHJ671 Unnecessary government expenditures. Establishes an eight member joint subcommittee to study the reduction of unnecessary government expenditures.

Patron - Athey

FHJ672 Department of Medical Assistance Services' Medicaid-approved transportation vendors. Continues the

Joint Legislative Audit and Review Commission study of pre-hospital emergency medical services in Virginia as set out in House Joint Resolution No. 133 (2004). The resolution adds to the list of objectives an examination of the needs and problems associated with the Department of Medical Assistance Services' Medicaid-approved vendors that transport patients for medical purposes such as dialysis.

Patron - Athey

FHJ679 HOPE Scholarship in Virginia. Requests the State Council of Higher Education (SCHEV) to study the feasibility and appropriateness of creating a program of student assistance in Virginia modeled after the Georgia HOPE Scholarship and Grant Program. In conducting its study, SCHEV shall consider, among other things, (i) the fiscal and educational impact of the HOPE initiative in Georgia; (ii) the implementation of similar initiatives, if any, in other states; (iii) Virginia's current financial aid programs and funding levels; (iv) potential revenue sources for a HOPE-modeled program in Virginia; and (v) such other issues as it deems appropriate.

Patron - Frederick

FHJ680 Virginia Housing Commission; feasibility of authorizing user fees for new single and multifamily residential construction projects. Directs the Virginia Housing Commission to study the feasibility of authorizing user fees for new single and multifamily residential construction projects.

Patron - Marshall, R.G.

FHJ681 Commission on Growth and Economic Development. Continues the Commission on Growth and Economic Development for one additional year and requires the Commission to study the feasibility of authorizing user fees for new single and multifamily residential construction projects.

Patron - Marshall, R.G.

FHJ683 Feasibility of participation in the I-SaveRx program. Directs the Joint Commission on Health Care to study the feasibility of participation by the Commonwealth in the I-SaveRx program.

Patron - Marshall, R.G.

FHJ687 State park along South Mayo and North Mayo Rivers. Requests the Department of Conservation and Recreation to study the feasibility of establishing a state park along the South Mayo and North Mayo Rivers in Henry County.

Patron - Armstrong

FHJ690 Desirability of using underground electrical transmission lines. Directs the Joint Legislative and Review Commission to study the desirability of using underground electrical transmission lines as an alternative to the overhead installation of such lines.

Patron - May

FHJ691 Use of biometric identifiers in connection with driver's licenses; report. Requests the Department of Motor Vehicles, in cooperation with the Virginia Information Technologies Agency, the Office of the Attorney General, the Department of State Police, the Department of Social Services, the Department of Emergency Management, and all other interested state agencies to study the desirability and feasibility of the integration of biometric identifiers for Virginia driver's licenses and special identification cards.

Patron - May

FHJ696 Voluntary, public-private health insurance purchasing pool for small businesses. Requests the Secretary of Administration to prepare a program design for a voluntary,

public-private health insurance purchasing pool for businesses with 50 or fewer employees. The Secretary of Administration is directed to work with representatives of health insurers, insurance agents, health care providers, and small businesses in developing the program design. This project is a recommendation of the Lieutenant Governor's Commission on Small Business Health Insurance Costs.

Patron - Brink

FHJ703 Single family group homes. Establishes a joint subcommittee to study the effects of excessive concentration of single family group homes, and to determine alternatives which would result in greater dispersion and integration of such facilities into society. In conducting its study, the joint subcommittee shall study the excessive concentration of single family group homes in certain neighborhoods, the adverse effects of this concentration on the residents of single family group homes, the adverse effects of this concentration on those neighborhoods, and workable regulatory alternatives that would result in more appropriate locations of single family group homes for the mutual benefit of the residents thereof and the affected neighborhoods. This resolution has been incorporated into HJR 685.

Patron - Melvin

FHJ705 Prior approval of medical malpractice insurance rates. Requests the State Corporation Commission to study whether Virginia should require prior approval of medical malpractice liability insurance rates. Currently, such rates are subject to "file and use" rules. The study is to estimate the likely effect of requiring prior approval on such insurance rates and premiums and to assess the likely effects of requiring prior approval of such rates on the availability as well as the affordability of such insurance. The study is to be completed by June 1, 2005.

Patron - Baskerville

FHJ714 Contents of driver's licenses and special identification cards. Requests the Department of Motor Vehicles to study the desirability and feasibility of incorporating biological trait information in or on Virginia driver's licenses and special identification cards.

Patron - Byron

FHJ715 JLARC study of mass transit in Northern Virginia. Directs the Joint Legislative and Review Commission to collect and analyze data to support the reorganization and restructuring of mass transit programs serving Northern Virginia. This resolution has been incorporated into HJR 742.

Patron - Lingamfelter

FHJ719 Virginia Housing Commission; local incentives to developers to preserve affordable single and multi-family housing. Directs the Virginia Housing Commission to study the authority of localities to provide incentives to developers to preserve the supply of affordable single and multifamily housing.

Patron - Scott, J.M.

FHJ742 Free Market Ideas in Transportation Commission. Establishes the Commission on Transportation Needs in the Commonwealth to study a list of issues associated with promoting a more efficient transportation system for the Commonwealth. This resolution incorporates HJR 660, HJR 662, HJR 663, HJR 715, HJR 744, HJR 772, and HJR 791.

Patron - Wardrup

FHJ743 Homestead exemptions and alternatives for tax relief for the elderly and disabled. Calls for a one-year joint subcommittee, consisting of eight legislators, three non-

legislative citizen members and the Tax Commissioner, to review the current homestead exemptions and alternatives for real property tax relief.

Patron - Rapp

FHJ744 Virginia Transportation Priority and Funding Commission. Establishes the Virginia Transportation Priority and Funding Commission. In conducting its study, the Commission shall consider the most effective use of transportation funds to anticipate and correct existing and future transportation funding deficiencies. The Commission shall also (i) examine highway, bridge, mass transit, rail, and other transportation needs of the Commonwealth; (ii) recommend, on the basis of its findings, first tier needs which shall include current transportation needs and second tier needs which shall include transportation needs to be addressed by 2020; (iii) review Virginia's bonding capacity under the Constitution as well as other potential funding sources and recommend a mix of revenue bonds, general obligation bonds, partnerships, cash investments, revenue sources, etc., to address these needs; and (iv) submit a report concerning its findings and recommendations regarding the first and second tier transportation needs of the Commonwealth, and first tier funding sources. This resolution has been incorporated into HJR 742.

Patron - Phillips

FHJ745 Gun violence in the Richmond metropolitan area. Creates a joint subcommittee to study gun violence in the Richmond metropolitan area and its impact on public safety, education, and economic development. The joint subcommittee is tasked with making recommendations to curb violence that involves the use of a firearm.

Patron - Jones, D.C.

FHJ746 Regulation of the towing and recovery industry. Establishes an eight-member joint subcommittee to study regulation of the vehicle towing and recovery industry by the Department of Professional and Occupational Regulation.

Patron - Bland

FHJ748 Driver's license without proof of legal presence in the United States. Directs the Joint Legislative Audit and Review Commission to study the feasibility of establishing a new class of driver's license for drivers without proof of legal presence in the United States.

Patron - Ebbin

FHJ749 Detention and diversion programs. Establishes a joint subcommittee to study programs for probation and parole technical violators.

Patron - McDougle

FHJ763 Virginia's A. L. Philpott Manufacturing Extension Partnership (VPMEP). Requests the Secretary of Commerce and Trade to study ways to strengthen the affiliation and partnership of Virginia's A. L. Philpott Manufacturing Extension Partnership (VPMEP) with Virginia Polytechnic Institute and State University or another appropriate institution or state agency, with the principal office of VPMEP remaining in the Martinsville area.

Patron - Armstrong

FHJ772 Use of railroad corridors for multimodal transportation purposes. Establishes a six-member joint subcommittee to study use of the Commonwealth's active and abandoned railroad corridors for multimodal transportation purposes. This resolution has been incorporated into HJR 742.

Patron - Parrish

EHJ791 Cost overruns in VDOT construction contracts. Establishes a six-member joint subcommittee to study cost overruns in VDOT construction contracts. This resolution has been incorporated into HJR 742.

Patron - Marshall, R.G.

EHJ816 Virginia Community College System. Establishes a joint subcommittee to study the feasibility and appropriateness of granting certain colleges in the Virginia Community College System the authority to confer four-year degrees. Report.

Patron - Marshall, D.W.

ESJ281 Insurance costs relating to the practice of medicine and the costs of prescription medicines and health insurance premiums. Establishes a joint subcommittee to examine (i) the costs of medical malpractice insurance in the Commonwealth, particularly insurance premiums or rates for obstetricians/gynecologists; (ii) the costs of health insurance and prescription drugs; and (iii) causes for the increase in such insurance and medical costs, including studying whether any person, entity, or business is earning an excessive profit in regard to such insurance and medical costs. The joint subcommittee shall develop recommendations for controlling the costs of medical malpractice insurance, health insurance, and prescription drugs, including recommendations for corrective measures in any case where the joint subcommittee determines that excessive profit is directly related to such costs.

Patron - Hawkins

ESJ282 Issues relating to transportation in the Commonwealth. Establishes a seventeen-member joint subcommittee to examine (i) whether the Commonwealth's current classification of roads into primary, secondary, and urban systems is the most suitable for addressing future transportation issues or should be replaced with a functional system that is based upon the usage of roads; (ii) whether the current statutory formula for allocating highway construction funds should be changed to better reflect transportation needs; (iii) the appropriate state and local roles in highway construction and maintenance and the revenue resources that are available to perform such roles; (iv) whether the Public-Private Transportation Act of 1995 is making a significant difference in meeting Virginia's transportation needs, is compatible with state and federal transportation policies, and is attracting private capital; (v) whether land use and transportation planning decisions should be more effectively coordinated than is presently provided for under law; (vi) the composition of the Commonwealth Transportation Board; (vii) whether transit services can be expanded to match the annual increase in vehicle miles traveled to lessen the stress on Virginia's roads; (viii) solutions for long-term sustainable funding of transportation maintenance and construction; and (ix) such other transportation-related matters as the joint subcommittee deems appropriate.

Patron - Hawkins

ESJ283 Reducing motor vehicle emissions. Requests the Department of Environmental Quality to study the costs and benefits of adopting air pollution standards for automobiles in Northern Virginia.

Patron - Puller

ESJ287 At-risk youth served in out-of-state facilities. Establishes a joint subcommittee to study the feasibility, advisability, and cost effectiveness of providing in-state residential treatment for troubled and at-risk youth now served in out-of-state facilities.

Patron - Miller

ESJ302 Effect of detention on truancy. Establishes a joint subcommittee to study the effect of detention on truancy. In conducting its study, the joint subcommittee shall (i) review the statutory provisions pertaining to truancy and the disposition of truants in the Commonwealth; (ii) review the findings and recommendations of previous legislative and current national reports concerning the etiology and prevention of truancy; (iii) determine the number of truants and identify the prevailing reasons for chronic absenteeism among truants in Virginia; (iv) examine the various truancy interventions used in the Commonwealth and other states; (v) evaluate the effectiveness of detention programs on truancy prevention and in redirecting truants to more productive lifestyles; (vi) recommend feasible and appropriate alternatives for truancy prevention; and (vii) consider such related matters as may be necessary to satisfy the objectives of this resolution. The joint subcommittee shall submit an executive summary of its findings and recommendations to the 2006 Regular Session of the General Assembly.

Patron - Miller

ESJ317 Mechanisms to promote collaborative arrangements between primary care physicians and oral health professionals to ensure holistic health care. Establishes a joint subcommittee to study mechanisms to promote collaborative arrangements between primary care physicians and oral health professionals to ensure holistic health care. In conducting its study, the joint subcommittee shall (i) identify and review collaborative arrangements between primary care physicians and oral health professionals, in and out of state; (ii) determine the types of health care services rendered through these collaborative arrangements; (iii) evaluate the need for dental insurance in Virginia, especially such insurance for the working poor and middle-income persons; (iv) identify, to the extent possible, the health problems of Virginians resulting from or related to untreated oral disease; (v) determine which health insurance providers in the Commonwealth offer plans that integrate traditional health insurance and dental insurance plans, and provide coverage for services rendered through collaborative arrangements between primary care physicians and oral health professionals; and (vi) recommend mechanisms to promote collaborative arrangements between primary care physicians and oral health professionals to ensure holistic health care and adequate insurance coverage. The joint subcommittee must submit an executive summary of its findings and recommendations to the 2006 Session of the General Assembly. This resolution was considered by the Joint Subcommittee Studying Access to and Costs of Oral Health Care.

Patron - Marsh

ESJ318 Moratorium on the death penalty. Creates a joint subcommittee to study establishing a moratorium on the death penalty. The joint subcommittee shall examine, among other issues it deems appropriate, (i) the administration of criminal justice in Virginia to determine the extent to which the process has failed resulting in wrongful executions of innocent persons; (ii) issues concerning the death penalty including disparity, fairness, equity, due process, competence of counsel for capital defendants, and limitations on the introduction of newly discovered and possibly exculpatory evidence; (iii) the execution of individuals who were juveniles at the time of their offense, and (iv) issues involved in imposing a moratorium. The joint subcommittee shall submit its findings and recommendations to the 2006 Session of the General Assembly.

Patron - Marsh

ESJ325 Unfunded liabilities of the Commonwealth. Establishes a joint subcommittee to study the unfunded liabilities of the Commonwealth and their effect on the Common-

wealth's budget, and to make recommendations as to future funding.

Patron - Stosch

FSJ334 Wind energy development. Establishes a joint subcommittee to study wind energy development in the Commonwealth.

Patron - Hanger

FSJ343 Tree-related measures in Clean Air Act state implementation plans to avoid loss of future federal transportation funds. Requests that the Department of Environmental Quality, in consultation with local governments and appropriate state, regional, and federal air quality and natural resource management agencies study the effect of urban trees and native forests on ambient ozone levels and other air pollutants, as well as the feasibility of including tree-related measures in state implementation plans for managing air quality to reduce health risks and avoid loss of future federal transportation funds.

Patron - Mims

FSJ365 Direct contribution retirement alternative. Creates a joint subcommittee to study the costs and benefits to the Commonwealth and eligible employees in establishing a direct contribution retirement alternative to the existing Virginia Retirement System.

Patron - Cuccinelli

FSJ366 Funding and promotion of children's hearing aids. Establishes a joint subcommittee to study the funding and promotion of children's hearing aids. In conducting its study, the joint subcommittee shall assess current efforts and recommend new methods to promote and publicize the Assistive Technology Loan Fund Authority (ATLFA) and the Consumer Services Fund (CSF) to parents of children determined to be born with a hearing deficiency discovered under the early identification and intervention program. The subcommittee shall determine the costs to insurance companies that would result from a mandate to supply hearing aids to children up to age six. Further, the subcommittee shall assess whether individual case management services should be added to the early identification program in order to ensure that each child actually receives appropriate hearing aids. Case management services to be considered shall include, but not be limited to, the identification of available public and private resources or benefits, and an opt-out provision for parents who do not wish for their children to receive such services. The joint subcommittee shall complete its meetings by November 30, 2005, and submit an executive summary of its findings and recommendations no later than the first day of the 2006 Regular Session of the General Assembly.

Patron - Ticer

FSJ370 Virginia Housing Commission; notification and right of first refusal to local housing authorities and nonprofit housing organizations upon intended sale of multifamily properties. Directs the Virginia Housing Commission to study the feasibility of requiring the owner of an existing multifamily housing property to notify the housing authority and nonprofit housing organization, if any, in the locality in which the property is located of the intended sale and to provide the authority or nonprofit housing organization with a right of first refusal for the purchase of the property.

Patron - Whipple

FSJ383 Elimination of the tangible personal property tax on personal-use passenger cars, motorcycles, and pickup or panel trucks. Establishes a joint subcommittee to examine the most efficient and equitable way to eliminate the

tangible personal property tax on the first \$20,000 of value of personal-use passenger cars, motorcycles, and pickup or panel trucks. The joint subcommittee shall develop recommendations for eliminating the tax that will provide a replacement for the revenues estimated to be received by local governments.

Patron - Hanger

FSJ387 Single family group homes. Establishes a joint subcommittee to study the effects of excessive concentration of single family group homes, and to determine alternatives which would result in greater dispersion and integration of such facilities into society. In conducting its study, the joint subcommittee shall study the excessive concentration of single family group homes in certain neighborhoods, the adverse effects of this concentration on the residents of single family group homes, the adverse effects of this concentration on those neighborhoods, and workable regulatory alternatives that would result in more appropriate locations of single family group homes for the mutual benefit of the residents thereof and the affected neighborhoods.

Patron - Lucas

FSJ392 Virginia's adoption laws and policies. Establishes a joint subcommittee to study Virginia's adoption laws and policies. In conducting its study, the joint subcommittee shall do a comprehensive review of Virginia's adoption laws, with special emphasis paid to the recognition and effect given to foreign adoption decrees, and determine whether such laws can be rewritten and reorganized to give clear and consistent guidance to persons using the laws. This resolution has been incorporated into SJR 331.

Patron - Reynolds

FSJ396 Effect of new overtime regulations on employees in the Commonwealth of Virginia. Requests the Virginia Employment Commission, with the assistance of the Department of Labor and Industry, to study the impact of the overtime compensation regulations promulgated by the U. S. Department of Labor effective August 23, 2004, on employees in the Commonwealth of Virginia.

Patron - Miller

FSJ397 Privatization efforts of the Virginia Department of Transportation. Directs the Joint Legislative Audit and Review Commission to study the impact of the Virginia Department of Transportation's privatization efforts on female and minority employees of the agency and small, women- and minority-owned businesses.

Patron - Miller

FSJ400 Voluntary, public-private health insurance purchasing pool for small businesses. Requests the Secretary of Administration to prepare a program design for a voluntary, public-private health insurance purchasing pool for businesses with 50 or fewer employees. The Secretary of Administration is directed to work with representatives of health insurers, insurance agents, health care providers, and small businesses in developing the program design. This project is a recommendation of the Lieutenant Governor's Commission on Small Business Health Insurance Costs.

Patron - Colgan

FSJ402 Comprehensive study of best educational practices and programs. Requests the Department of Education to conduct a comprehensive study of best educational practices and programs for use in public schools. In conducting its study, the Department shall (i) ascertain the best educational practices and programs employed by school divisions to increase the academic achievement of at-risk students; (ii) review the reports of other states pertaining to best educational

practices and programs for use with at-risk students to identify and evaluate those practices and programs, including school reform models, that demonstrate success in raising the academic performance of at-risk students; and (iii) determine the costs of implementing successful best practices and programs identified by the Department. The Department of Education must submit an executive summary and a report of its findings and recommendations to the 2006 Session of the General Assembly.

Patron - Locke

Charters and Authorities

Passed

HB1723 Peninsula Ports Authority. Allows appointment to the commission of the Peninsula Ports Authority of persons who are nonresidents of the localities embraced within the authority provided they have a principal place of business within one of those localities.

Patron - Oder

HB1779 Charter; City of Danville. Amends the City of Danville's Charter to provide for the direct election of school board members, pursuant to the 2004 passage of a local referendum. The bill also updates several obsolete Code references.

Patron - Marshall, D.W.

HB1899 Charter; Town of New Castle. Extends council terms from two to four years beginning with the election to be held in 2006. This bill is identical to SB 1068.

Patron - Shuler

HB2072 Charter; Town of Halifax. Provides for the mayor and council members to take office on July 1 following their election, instead of September 1, as currently provided.

Patron - Hogan

HB2169 Charter; City of Winchester. Makes several changes to the election and composition of city council, including reducing the size of the council from 13 to nine members and changing the time of election from May to November. Other changes will alter the budget cycle and clarify the instances and manner in which council members may contract with the city for purchases.

Patron - Sherwood

HB2176 Charter; Town of Stanley. Shifts council elections from May to November and deletes outdated provisions.

Patron - Louderback

HB2210 Charter; City of Waynesboro. Repeals the current city charter and replaces it with a new one. Most changes are organizational and technical in manner, such as updating Code references and deleting or amending outdated or unnecessary language. The substantive changes include revising the city budgeting schedule and authorizing indebtedness to conform with state law. This bill is identical to SB 1007.

Patron - Landes

HB2406 Charter; Town of Coeburn. Provides that candidates for council shall not be identified on the ballot by party affiliation.

Patron - Phillips

HB2475 Charter; Town of Lovettsville. Eliminates the requirement that the town clerk be a resident of the town.

Patron - May

HB2492 Charter; City of Fairfax. Amends the city charter by deleting a specific starting time for the council organizational meeting, and granting the city attorney power to prosecute in the courts of the Commonwealth of Virginia all violations of law constituting misdemeanors and traffic violations committed within the city, whether violations of city ordinances or the laws of the Commonwealth. This bill is identical to SB 994.

Patron - Petersen

HB2618 Charter; City of Manassas Park. Updates election provisions.

Patron - Parrish

HB2738 Charter; City of Richmond. Grants the mayor new powers, including veto authority over certain budget and fiscal measures and the ability to participate in the appointment of, assignment or use of, and removal of department heads. Other amendments will change the title of the vice mayor to president of the council; grant the mayor additional appointment powers; give the mayor and council greater control over the school budget; and make other technical changes.

Patron - Marrs

HB2739 Charter; City of Norfolk. Provides that the City of Norfolk shall be divided into five single-member wards and into two single-member superwards. Also, beginning in 2006, the mayor shall be elected at-large. The mayor shall preside at meetings of the council and perform such other duties consistent with his office as may be imposed by the council. He shall be entitled to a vote, but shall possess no veto power. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes. This bill is identical to SB 1174.

Patron - Alexander

HB2756 Charter; Town of Onley. Provides a new charter for the town and repeals the existing charter, adopted in 1950.

Patron - Lewis

SB729 Charter; City of Danville. Amends City of Danville's Charter to provide for the direct election of school board members, pursuant to the 2004 passage of a local referendum. The bill also updates several obsolete Code references.

Patron - Hawkins

SB903 Peninsula Ports Authority. Allows appointment to the commission of the Peninsula Ports Authority of persons who are nonresidents of the localities embraced within the authority provided they have a principal place of business within one of those localities.

Patron - Norment

SB994 Charter; City of Fairfax. Amends the city charter by deleting a specific starting time for the council organizational meeting, and granting the city attorney power to prosecute in the courts of the Commonwealth of Virginia all violations of law constituting misdemeanors and traffic violations committed within the city, whether violations of city ordinances or the laws of the Commonwealth. This bill is identical to HB 2492.

Patron - Devolites Davis

SB1007 Charter; City of Waynesboro. Repeals the current city charter and replaces it with a new one. Most changes are organizational and technical in manner, such as updating Code references and deleting or amending outdated or unnecessary language. The substantive changes include revising the city budgeting schedule and authorizing indebtedness to conform with state law. This bill is identical to HB 2210.

Patron - Hanger

SB1068 Charter; Town of New Castle. Extends council terms from two to four years beginning with the election to be held in 2006. This bill is identical to HB 1899.

Patron - Edwards

SB1174 Charter; City of Norfolk. Provides that the City of Norfolk shall be divided into five single-member wards and into two single-member superwards. Also, on and after July 1, 2006, the mayor shall be elected at-large. The mayor shall preside at meetings of the council and perform such other duties consistent with his office as may be imposed by the council. He shall be entitled to a vote, but shall possess no veto power. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes. This bill is identical to HB 2739.

Patron - Rerras

SB1175 Charter; Town of Onley. Provides a new charter for the town and repeals the existing charter, adopted in 1950.

Patron - Rerras

Failed

HB2211 Charter; Town of Elkton. Provides a new charter for the Town of Elkton and repeals the existing charter from 1954.

Patron - Landes

HB2749 Charter; City of Richmond. Grants the mayor new powers, including a line-item veto and the ability to participate in the appointment of, assignment or use of, and removal of city employees. Other amendments include changing the title of the vice mayor to president of the council and giving the mayor and council greater control over the school budget.

Patron - Hall

SB478 Charter; County of Roanoke. Provides that the County shall have authority to levy upon the sale or use of cigarettes a tax at a rate not to exceed \$0.75 per cigarette sold or used, such tax to be collected pursuant to Article 7 (§ 58.1-3830 et seq.) of Chapter 38 of Title 58.1 of the Code.

Patron - Edwards

SB847 Charter; City of Hopewell. Provides that certain state funding mandates will be suspended if in any calendar year the increase in the Consumer Price Index as published by the United States Department of Commerce is more than the increase in the assessed value of private real estate in the City of Hopewell, adjusted for general reassessment, as published by the City of Hopewell real estate assessor.

Patron - Quayle

SB961 Charter; City of Hampton. Moves authority to appoint the city attorney from the city manager to the city council.

Patron - Williams

SB1216 Charter; City of Richmond. Grants the mayor new powers, including a line-item veto and the ability to participate in the appointment of, assignment or use of, and removal of city employees. Other amendments, include changing the title of the vice mayor to president of the council and giving the mayor and council greater control over the school budget. This bill is identical to HB 2749.

Patron - Watkins