

or the United States certifies that title to such tangible personal property will pass to such governmental entity.

Patron - Shannon

7 HB748 Residential development impact fee assessments; adequate public facilities. Allows localities to adopt ordinances for the assessment of impact fees when certain public facilities are inadequate to support a proposed residential development. If the proposed development is for senior residents only, then impact fees may be assessed in relation to the adequacy of public safety, or public sewer or water facilities. For all other proposed residential developments, the impact fees may be assessed in relation to the adequacy of education, transportation, or public water or sewer needs. Such fees shall be a pro rata share of the costs of reasonable and necessary capital improvements attributable to the proposed development. Prior to any impact fee assessment, the locality must identify the particular public facility needs in its comprehensive plan, and must have in place a capital improvement program that provides a reasonable basis for determining the extent or level of inadequacy of such facilities in the area of the proposed development. If the locality does not apply impact fees paid by a developer to the capital project that served as the basis for such assessment within six years of collection, then the developer may seek a writ of mandamus to compel the locality to do so. Any impact fee ordinances shall expire after six years, and may then be adopted for consecutive six-year periods.

Patron - Marshall, R.G.

7 HB788 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 - Watts

7 HB791 Corporate income taxation; closing loophole. Closes a corporate income tax loophole that allowed corporations to avoid paying taxes on money paid to passive investment companies in the form of royalties, interest and other intangible income. The loophole is closed by requiring the corporation to add back any otherwise deductible interest expenses and costs and intangible expenses and costs paid, accrued or incurred to one or more related members.

Patron - Watts

7 HB794 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, 2005.

Patron - Watts

7 HB811 Taxation of individuals and corporations. Provides a flat rate of 5.5 percent for both the individual and corporate income taxes. The bill also increases the standard deduction for individual income tax purposes to \$24,000 for couples and \$12,000 for individuals. The sales and use tax rate would be increased to 5.5 percent. The bill has a reenactment clause so it will be effective in 2006 if it passes during this session and is reenacted in 2005.

Patron - Athey

7 HB843 Income tax; voluntary contribution of refund to Pre-Release and Post-Incarceration Services Fund. Allows individuals entitled to an income tax refund to contribute a portion, at least \$1, or all of the refund to the Department of Criminal Justice Services for the Pre-Release and Post-Incarceration Services program, for taxable years beginning on and after January 1, 2005, but before January 1, 2010. The program provides support by means of grants to public or private nonprofit organizations for pre-release and post-incarceration professional services and guidance that increase the opportunity for successful reentry and reintegration into local society by incarcerated adult offenders.

Patron - Baskerville

7 HB892 Income tax; distribution of revenues to localities. Requires the transfer of one percent of individual income tax revenues to localities in 2004, and the amount increases one percent each year until it reaches a maximum of five percent for 2008 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

7 HB939 Income tax; qualified agricultural contributions deduction expiration. Eliminates the sunset date for the income tax deduction for qualified agricultural contributions, which expires January 1, 2004, and makes the deduction for such contributions retroactive to January 1, 2004.

Patron - Pollard

7 HB1004 Localities may forgive certain back taxes. Allows localities, to the extent not prohibited by the Virginia Constitution, to develop a procedure to forgive back taxes on real property that is transferred to a 501(c)(3) organization that is primarily engaged in the construction of affordable single-family dwelling units.

Patron - Orrock

7 HB1036 Children At Risk in Education Tax Credit. Creates a tax credit to promote educational opportunities for children who are at risk of educational failure. Tax credits will be awarded to business entities for eligible contributions made to eligible nonprofit tuition assistance grant funding organizations. The amount of the credit is 25 percent of the eligible contribution, but may not exceed 75 percent of the tax liability of the business entity. The contributions may be awarded as grants for students' tuition in public and nonpublic schools. There is a \$6 million cap on total tax credits awarded annually. The credit would be effective for taxable years beginning on and after January 1, 2005.

Patron - Saxman

7 HB1045 Agricultural Enterprise Zone Act. Allows the Governor to establish agricultural enterprise zones upon application by localities with established agricultural or forestal districts, or purchase of development rights programs. "Qualified farm businesses" located in such zones may apply to the Department of Agriculture and Consumer Services for certain state business tax credits and sales tax exemptions. "Qualified farm businesses" are businesses establishing agricultural or forestal operations and making a net investment of at least \$250,000 and creating at least five new full-time jobs, or such operations already established if they have increased the number of full-time employees by at least 10 percent over the preceding two years. This bill is identical to SB 482.

Patron - Saxman

7 HB1050 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 the individual during the taxable year. The amount of the credit for each taxable year shall equal 10 percent of the amount paid during the taxable year by the individual in long-term care insurance premiums for long-term care insurance coverage for himself. The credit would be available beginning with the 2004 taxable year. Any unused credit may be carried over in the next five taxable years. To claim the credit, the individual shall attach to his individual income tax return proof of payment for such premiums, as determined by guidelines established by the Tax Commissioner. The credit would replace the current deduction for long-term care insurance.

Patron - Hamilton

7 HB1092 Sales and use tax; optional local tax for transportation and education. Authorizes any county or city located within the Eighth Planning District to levy an additional local sales and use tax at a rate of one percent with at least one-half of the revenues generated from such tax to be used for transportation purposes and the remaining revenue to be used for education purposes. The county or city imposing such a tax must reduce its real estate tax rate so that total real estate tax revenues are reduced by 40 percent of the additional sales tax revenues. The tax shall be adopted by local ordinance, which shall become effective on the later of the first day of a month at least 60 days after its adoption, or the first day of the month after which at least one other such city or county shall have adopted such an ordinance and the total population within the counties or cities having adopted such an ordinance comprises at least 50 percent of the total population of the counties and cities located within the Eighth Planning District.

Patron - Scott, J.M.

7 HB1175 Voluntary contribution to the Dr. Martin Luther King, Jr. Commission Fund. Allows individuals entitled to an income tax refund to contribute a portion, at least \$1, or all of the refund to the Dr. Martin Luther King, Jr. Commission Fund for taxable years beginning on and after January 1, 2004. The Fund provides support for the work of and generates nonstate funds to maintain the Martin Luther King, Jr. Living History and Public Policy Center. The Center was created pursuant to State law that required a permanent memorial to be established to honor Dr. King in the Commonwealth. The Living History and Public Policy Center, a component of the Dr. Martin Luther King, Jr. Memorial Commission, is a virtual center composed, initially, of a consortia of nine public and private institutions of higher education in Virginia that, among other things, provides educational and cultural programs throughout the Commonwealth, conducts and produces scholarly research and publications, interfaces with public and private undergraduate and graduate programs, supports the academic programs in grades K-12 in public and private schools, offers doctoral fellowship programs, and produces policy analyses of issues specific to Virginia and contemporary issues relative to the principles of Dr. King. The programs and resources of the Center are made available to all citizens via the Commonwealth's vast technological infrastructure. This bill is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission. This bill is identical to SB 221.

Patron - Bryant

7 HB1184 Individual income tax; voluntary checkoff for Virginia Association of Centers for Independent Living. Provides a checkoff on the individual income tax return for refunds to be designated, for taxable years beginning January 1, 2004, but before January 1, 2009, for the Virginia

Association of Centers for Independent Living, an organization that advocates for the integration and inclusion of people with disabilities into all aspects of society.

Patron - Bryant

7 HB1210 Income tax; voluntary contribution of tax refund for cancer research. Creates an additional income tax checkoff beginning January 1, 2004, for individuals to contribute all or part of their income tax refunds, or to make payments to the Department of Taxation, to be divided equally among all entities in the Commonwealth that have been officially designated as a cancer center by the National Cancer Institute, to be used for research into the prevention and cure of cancer.

Patron - Hall

7 HB1214 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 and sunsets the current individual income tax deduction for long-term care insurance premiums. An individual at least 55 years old, or an individual purchasing long-term care insurance for a Virginia resident at least 55 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 55 years old. If the long-term care insurance coverage is for a person at least 65 years old, the tax credit is the lesser of the individual's income tax liability or the actual premiums paid in the taxable year. If the long-term care insurance coverage is for a person at least 55 but less than 65 years old, the tax credit is the lesser of (i) the actual premiums paid in the taxable year, (ii) \$1,000, or (iii) the individual's income tax liability for the taxable year. The credit would be available beginning with the 2004 taxable year. To claim the credit, the individual shall attach to his individual income tax return proof of payment for such premiums, as determined by guidelines established by the Tax Commissioner. The bill amends sunsets the current tax deduction for long-term care insurance effective January 1, 2004. Individuals itemizing long-term care insurance premiums for insurance coverage on a resident individual of the Commonwealth at least 55 years old are not eligible for the tax credit.

Patron - Landes

7 HB1260 Voluntary contribution to the Petersburg Public Education Foundation Fund. Allows individuals entitled to an income tax refund to contribute a portion, at least \$1, or all of the refund to the Petersburg Public Education Foundation Fund for taxable years beginning on and after January 1, 2004. The Fund provides support for the Petersburg City Public Schools.

Patron - Bland

7 HB1279 Sales and use tax exemptions; governmental and commodities exemptions for certain energy efficient products. Grants a sales and use tax exemption, beginning July 1, 2004, for certain energy efficient products that have been awarded the energy star certification mark based on requirements developed by the U.S. Environmental Protection Agency and the U.S. Department of Energy.

Patron - McDougle

7 HB1375 Sales and use tax; exemption. Provides that any person who contracts to perform services for and furnishes tangible personal property for use or consumption by the Commonwealth, any political subdivision of the Commonwealth, or the United States, shall be exempt from sales and use tax, provided that the Commonwealth, the political subdivi-

vision, or the United States certifies that title to such tangible personal property will pass to such governmental entity.

Patron - Hugo

7 HB1378 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.

Patron - Fralin

7 HB1382 Newspaper tax. Creates a tax to be imposed on newspaper publishers at the rate of one cent on every newspaper published and delivered daily in the Commonwealth. The revenue generated shall be used for environmental activities throughout the Commonwealth.

Patron - Wardrup

7 HB1401 Income tax; voluntary contribution of refund to Office of Commonwealth Preparedness Fund. Allows individuals entitled to an income tax refund to contribute a portion, at least \$5, or all of the refund to the Department of Emergency Management for the Office of Commonwealth Preparedness, for taxable years beginning on and after January 1, 2005, but before January 1, 2010. The purpose of the Office of Commonwealth Preparedness is to develop plans and procedures to be followed throughout the Commonwealth in the event of terrorists' activities and attacks.

Patron - Reid

7 HB1464 Personal property tax exemption; farm property and products. Requires localities to exempt farm property and products from the personal property tax. Current law makes such exemption optional. Any locality that taxed such property in 2003 shall receive an annual appropriation from the Commonwealth in an amount equivalent to the total revenue collected by the locality pursuant to such tax in 2003. The bill has a delayed effective date of January 1, 2005.

Patron - Lewis

7 SB221 Voluntary contribution to the Dr. Martin Luther King, Jr. Commission Fund. Allows individuals entitled to an income tax refund to contribute a portion, at least \$1, or all of the refund to the Dr. Martin Luther King, Jr. Commission Fund for taxable years beginning on and after January 1, 2004. The Fund provides support for the work of and generates nonstate funds to maintain the Martin Luther King, Jr. Living History and Public Policy Center. The Center was created pursuant to State law that required a permanent memorial to be established to honor Dr. King in the Commonwealth. The Living History and Public Policy Center, a component of the Dr. Martin Luther King, Jr. Memorial Commission, is a virtual center composed, initially, of a consortia of nine public and private institutions of higher education in Virginia that, among other things, provides educational and cultural programs throughout the Commonwealth, conducts and produces scholarly research and publications, interfaces with public and private undergraduate and graduate programs, supports the academic programs in grades K-12 in public and private schools, offers doctoral fellowship programs, and produces policy analyses of issues specific to Virginia and contemporary issues relative to the principles of Dr. King. The programs and resources of the Center are made available to all citizens via the Commonwealth's vast technological infrastructure. This bill is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission. This bill is identical to HB 1175.

Patron - Marsh

7 SB248 Real estate tax; deferral of taxes for certain disabled individuals. Provides that disability benefits received by wounded or disabled military veterans may be

excluded by a locality when determining eligibility for its tax deferral programs.

Patron - Deeds

7 SB263 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 the individual during the taxable year. The amount of the credit for each taxable year shall equal 10 percent of the amount paid during the taxable year by the individual in long-term care insurance premiums for long-term care insurance coverage for himself. The credit would be available beginning with the 2004 taxable year. Any unused credit may be carried over in the next five taxable years. To claim the credit, the individual shall attach to his individual income tax return proof of payment for such premiums, as determined by guidelines established by the Tax Commissioner. The credit would replace the current deduction for long-term care insurance.

Patron - Lambert

7 SB374 Admissions tax; Nelson County. Authorizes Nelson County to levy admissions tax on all classes of events, thereby removing existing limitations. Removes reference to Nelson County by population bracket and identifies the county by name.

Patron - Deeds

7 SB375 Transient occupancy tax; Nelson County. Authorizes Nelson County to impose a transient occupancy tax not to exceed five percent.

Patron - Deeds

7 SB482 Agricultural Enterprise Zone Act. Allows the Governor to establish agricultural enterprise zones upon application by localities with established agricultural or forestal districts, or purchase of development rights programs. "Qualified farm businesses" located in such zones may apply to the Department of Agriculture and Consumer Services for certain state business tax credits and sales tax exemptions. "Qualified farm businesses" are businesses establishing agricultural or forestal operations and making a net investment of at least \$250,000 and creating at least five new full-time jobs, or such operations already established if they have increased the number of full-time employees by at least 10 percent over the preceding two years. This bill is identical to HB 1045.

Patron - Obenshain

7 SB500 Sales and use tax exemption, Loudoun Healthcare Foundation. Provides a sales and use tax exemption beginning July 1, 2004, and ending July 1, 2008, to a 501 (c) (3) corporation organized to monitor, assess, and advise a health care company on all fundraising and donor-related matters, and to attain the fundraising goals established by the Loudoun Healthcare, Inc., Board of Directors.

Patron - Mims

7 SB501 Sales and use tax exemption; Farmwell Hunt Homeowners Association, Inc. Exempts from the retail sales and use tax beginning July 1, 2004, and ending July 1, 2008, tangible personal property purchased for use or consumption by a corporation organized as a homeowners association and operated to perform the functions of a homeowners association.

Patron - Mims

7 SB514 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

7 SB537 Corporate income tax; credit for cigarettes manufactured and exported. Provides a credit against corporate income taxes for the number of cigarettes manufactured by a corporation, which are also exported by the corporation to a foreign country. The bill establishes taxable year 2004 as a base year for the number of cigarettes exported. In future taxable years, the credit is computed by comparing the actual number of cigarettes exported by the manufacturer in the relevant taxable year with the number of cigarettes it exported in taxable year 2004. The credit per cigarette will vary based upon this comparison. No credit will be granted if the number of cigarettes exported is less than 50 percent of the number exported in taxable year 2004. In cases where the number of cigarettes exported in a taxable year is 50 percent or more of the number exported in 2004, the credit for the relevant taxable year will range from \$.20 per 1,000 cigarettes exported up to \$.40 per 1,000 cigarettes exported. The maximum allowable credit to any corporation in a taxable year is the lesser of \$6 million or 50 percent of the corporation's income tax liability. The total amount of credit that may be taken by all eligible corporations for any fiscal year is capped at \$6 million.

Patron - Stosch

7 SB655 Business license tax phase-out. Requires localities that impose the business license tax to eliminate it in 25 percent increments annually beginning no later than July 1, 2005. It also repeals the business license tax provisions effective July 1, 2008.

Patron - Norment

7 SB667 Taxation; confirmation of receipt of tax returns. Effective July 1, 2005, requires the Tax Commissioner to provide an electronic method for business taxpayers to verify receipt by the Department of Taxation of the taxpayer's tax return and payment.

Patron - Mims

7 SB678 Land preservation tax credit. Provides an annual limit of \$50,000 in tax credit for tax credits that are obtained through a transfer. The bill also provides that only taxpayers conveying a working farm for which the taxpayer is the sole proprietor or has at least a 50 percent ownership interest may transfer the land preservation tax credit.

Patron - Hanger

Trade and Commerce

Passed

D HB148 Public-Private Education Facilities and Infrastructure Act of 2002. Amends the Public-Private Education Facilities and Infrastructure Act of 2002 by requiring local public entities to have independent design professionals or other professionals to provide independent analysis of the project prior to proceeding under the Act.

Patron - Hargrove

D HB231 Virginia Consumer Protection Act; admissibility of cure offers. Permits a supplier to introduce a cure offer into evidence in a proceeding for damages under the Consumer Protection Act if the cure offer is delivered prior to the filing of the supplier's initial responsive pleading. If the damages awarded in the proceeding do not exceed the value of

the cure offer, the supplier will not be liable for the person's attorneys' fees and court costs. A cure offer is an offer to remedy a loss claimed to be suffered as a result of a consumer transaction, which includes an additional amount of at least 10 percent or \$500, whichever is greater; however, the minimum additional amount need not exceed \$4,000. This bill is identical to SB 324.

Patron - Athey

D HB390 Virginia Health Spa Act; requirement for bond or letter of credit. Provides that a health spa contract with a term that exceeds one year is to be counted as multiple contracts for purposes of determining the required amount of bond or letter of credit, with each full and any partial year of the term of a contract being counted as a separate contract. This bill applies only to health spa contracts entered into on or after January 1, 2005. This provision does not apply if the number of multi-year contracts that a health spa has in effect is fewer than 10 percent of all of its contracts.

Patron - Amundson

D HB503 Firearms; purchase of handguns of certain officers. Permits the Department of Conservation and Recreation and the Department of Forestry to allow its retiring officers to purchase their handguns.

Patron - Keister

D HB548 Uniform Computer Information Transactions Act (UCITA). Amends UCITA to incorporate changes adopted by the National Conference of Commissioners on Uniform State Laws (NCCUSL). The bill clarifies that (i) insurance services transactions are not covered by UCITA even if computers are used; (ii) the consumer protection law that would have governed in the absence of UCITA still governs; (iii) end-user licenses cannot prohibit or limit lawful public discussion; and (iv) the laws of fraud, misrepresentation, and unfair and deceptive trade practices, as they deal with failure to disclose defects, still apply. The bill also (a) deletes the default rules for license duration and the number of permitted users when the contract is silent and returns the defaults to the common law; (b) provides that there is no implied warranty with respect to subjective characteristics; and (c) provides that the implied warranties and obligations concerning noninterference, noninfringement and merchantability do not apply to free software. Finally, the bill makes certain technical amendments that reorganize a few sections of UCITA to make it easier to read and more consistent with NCCUSL's final version of the uniform law. This bill is a recommendation of the Joint Commission on Technology and Science.

Patron - May

D HB686 Price gouging. Prohibits suppliers from selling, leasing, or licensing necessary goods and services during times of disaster at an unconscionable price. To determine whether a price increase is unconscionable, the court must consider, among other factors, whether the price charged by the supplier during the time of disaster grossly exceeded the price at which the same or similar goods or services were readily obtainable in the trade area during the 10 days prior to the time of disaster. A violation constitutes a prohibited practice under the Virginia Consumer Protection Act, though aggrieved persons will not be able to bring a private cause of action. This bill incorporates HB 971 and is identical to SB 242.

Patron - Rapp

D HB689 Virginia Telephone Privacy Protection Act; telephone solicitation. Expands the definition of a "telephone solicitation call" to include solicitation calls made to any wireless telephone with a Virginia area code. A telephone solicitor is prohibited from calling a telephone number that has

been placed on the federal Do Not Call Registry. The bill provides that the use of a version of the federal Do Not Call Registry obtained no more than three months prior to the date of the telephone solicitation is an affirmative defense to an action alleging a violation of the Telephone Privacy Protection Act. The bill requires telephone solicitors to play a prerecorded identification message that states the name and telephone number of the person on whose behalf the telephone solicitation call was being made, whenever a live person is not available within two seconds of completing the greeting. This bill is identical to SB 344.

Patron - Morgan

D HB1302 Sales and purchases of firearms in contiguous states. Repeals provisions regulating sales of firearms to residents of contiguous states and purchase of firearms by Virginia residents in contiguous states. This bill incorporates HB 353 and HB 1086.

Patron - Lingamfelter

D HB1424 Personal Information Privacy Act; date of birth on checks. Prohibits a person who accepts checks in the transaction of business from recording, or requesting or requiring a person to record, a date of birth upon the check as a condition of accepting the check. The section does not affect collection of a birth date for reasons unrelated to accepting the check, nor does it block a requirement that the payor provide his year of birth.

Patron - Dudley

D SB167 Virginia Racing Commission; satellite facilities. Increases the number of satellite facilities that the Virginia Racing Commission may authorize from six to 10.

Patron - Stolle

D SB242 Price gouging. Prohibits suppliers from selling, leasing, or licensing necessary goods and services during times of disaster at an unconscionable price. To determine whether a price increase is unconscionable, the court must consider, among other factors, whether the price charged by the supplier during the time of disaster grossly exceeded the price at which the same or similar goods or services were readily obtainable in the trade area during the 10 days prior to the time of disaster. A violation constitutes a prohibited practice under the Virginia Consumer Protection Act, though aggrieved persons will not be able to bring a private cause of action. This bill is identical to HB 686.

Patron - Norment

D SB324 Virginia Consumer Protection Act; admissibility of cure offers. Permits a supplier to introduce a cure offer into evidence in a proceeding for damages under the Consumer Protection Act if the cure offer is delivered prior to the filing of the supplier's initial responsive pleading. If the damages awarded in the proceeding do not exceed the value of the cure offer, the supplier will not be liable for the person's attorneys' fees and court costs. A cure offer is an offer to remedy a loss claimed to be suffered as a result of a consumer transaction, which includes an additional amount of at least 10 percent or \$500, whichever is greater; however, the minimum additional amount need not exceed \$4,000. This bill is identical to HB 231.

Patron - Stolle

D SB344 Virginia Telephone Privacy Protection Act; telephone solicitation. Expands the definition of a "telephone solicitation call" to include solicitation calls made to any wireless telephone with a Virginia area code. A telephone solicitor is prohibited from calling a telephone number that has been placed on the federal Do Not Call Registry. The bill pro-

vides that the use of a version of the federal Do Not Call Registry obtained no more than three months prior to the date of the telephone solicitation is an affirmative defense to an action alleging a violation of the Telephone Privacy Protection Act. The bill requires telephone solicitors to play a prerecorded identification message that states the name and telephone number of the person on whose behalf the telephone solicitation call was being made, whenever a live person is not available within two seconds of completing the greeting. This bill is identical to HB 689.

Patron - Williams

Failed

: HB256 Gift cards and gift certificates; Virginia Consumer Protection Act. Requires a supplier that sells gift cards or gift certificates to consumers to provide a disclosure of its policies related thereto to consumers. The disclosure may be furnished to the consumer in writing at the time of purchase, be made by means of a sign placed in a conspicuous public area of the premises of the supplier so as to be readily noticeable and readable by the consumer, be on the bill of sale, or be on the back of the gift card. The disclosure shall include the conditions, charges, or fees relating to the gift card or gift certificate, including but not limited to any expiration date, diminution in value over time, or up-front fees. Charitable organizations are not required to provide such disclosures. Failure to provide the disclosure is a prohibited practice under the Virginia Consumer Protection Act.

Patron - Jones, D.C.

: HB353 Sale and purchase of firearms. Provides that any resident of the Commonwealth who may lawfully purchase a rifle or shotgun in the Commonwealth may purchase a rifle or shotgun in another state provided the sale meets the lawful requirements of each such state, meets all lawful requirements of any federal statute, and is made by a licensed importer, licensed manufacturer, licensed dealer, or licensed collector. The bill also provides that any importer, manufacturer, dealer or collector licensed to sell rifles or shotguns in this Commonwealth may sell such firearms to a resident of another state provided the sale meets the lawful requirements of each state as well as the requirements of any federal statute pertaining thereto. Currently such sales and purchases are limited to contiguous states. This bill is incorporated into HB 1302.

Patron - Bryant

: HB586 Virginia Consumer Protection Act; cure offers for consumer disputes involving motor vehicle purchases. Defines "cure offer" as a written offer of one or more things of value made by a supplier who is a licensed motor vehicle dealer, and the offer is delivered to a person, or the person's attorney, claiming to have suffered a loss as a result of a consumer transaction for the purchase of a motor vehicle from the supplier. A cure offer must be reasonably calculated to remedy a loss claimed by the person, and it must include a minimum additional amount equaling 10 percent of the value of the cure offer or \$500, whichever is greater, as compensation for inconvenience, fees, expenses, or other costs that such person may incur in relation to such loss. However, the minimum additional amount need not exceed \$2,500. The bill prohibits the admission of a cure offer in any proceeding initiated under the Virginia Consumer Protection Act unless the cure offer is delivered by a supplier to the person, or the person's attorney, claiming loss prior to the filing of the supplier's initial responsive pleading in such proceeding. If a verdict is rendered in favor of the claimant, the cure offer shall be admissible for the purpose of the court's determination as to whether the supplier

is liable for the claimant's attorney's fees and court costs. The supplier shall not be liable for such person's attorney's fees and court costs unless the actual damages found to have been sustained and awarded, without consideration of attorney's fees and court costs, exceed the value of the last cure offer that was not accepted by the person claiming the loss. This bill is incorporated into HB 231.

Patron - Janis

: **HB971 Price gouging.** Prohibits suppliers from selling, leasing, or licensing necessary goods and services during times of disaster at an unconscionable price. To determine whether a price increase is unconscionable, the court must consider, among other factors, whether the price charged by the supplier during the time of disaster grossly exceeded the price at which the same or similar goods or services were readily obtainable in the trade area during the 10 days prior to the time of disaster. A violation constitutes a prohibited practice under the Virginia Consumer Protection Act, though aggrieved persons will not be able to bring a private cause of action. This bill is incorporated into HB 686.

Patron - Barlow

: **HB1046 Virginia Consumer Protection Act; admissibility of cure offers.** Permits a supplier to introduce a cure offer into evidence in a proceeding for damages under the Consumer Protection Act if the cure offer is delivered prior to the filing of the supplier's initial responsive pleading. If the damages awarded in the proceeding do not exceed the value of the cure offer, the supplier will not be liable for the person's attorneys' fees and court costs. A cure offer is an offer to remedy a loss claimed to be suffered as a result of a consumer transaction, which includes an additional amount of at least 10 percent or \$500, whichever is greater; however, the minimum additional amount need not exceed \$2,500.

Patron - Athey

: **HB1070 Enterprise zones; sub-zones.** Authorizes enterprise zones to include sub-zones as deemed appropriate by the county, city, or town in which the enterprise zone is located. The bill also permits each of the three enterprise zone designations to contain one noncontiguous sub-zone; however, a joint enterprise zone may consist of the joint zone area and one additional noncontiguous zone area in each of the adjacent jurisdictions that submitted the application for the joint enterprise zone.

Patron - Armstrong

: **HB1235 Motor Vehicle Warranty Enforcement Act; civil actions; standards for reasonable attorney's fees.** Provides factors that a court must take into account in determining whether attorney's fees are reasonable in an action brought for violation of the Motor Vehicle Warranty Enforcement Act.

Patron - Griffith

Carried Over

7 HB599 Enterprise zone designations. Adds five enterprise zones to the number the Governor may designate, for a total of 65. The bill also requires the new zones to be designated in localities that have no enterprise zones as of July 1, 2004. The bill also increases the \$16 million cap to \$18 million, effective July 1, 2006.

Patron - Dudley

7 HB694 Biodiesel fuel; minimum content. Requires all diesel fuel sold or offered for sale in the Commonwealth for use in internal combustion engines to contain 2.0

percent biodiesel fuel by volume. "Biodiesel fuel" is a combustible liquid fluid fuel from agricultural plant oils or animal fats. The mandate becomes effective when the annual capacity in the Commonwealth for the production of biodiesel fuel exceeds five million gallons, but in no event before June 30, 2006. The requirement shall not apply to fuel used in motors located at a nuclear electric generating plant unless approved by the Nuclear Regulatory Commission.

Patron - Morgan

7 HB753 Personal Information Privacy Act; restricting the use of social security numbers. Amends the Personal Information Privacy Act to prohibit (i) intentionally communicating or otherwise making available, in any manner, 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 provided by the person or entity; (iii) requiring an individual to transmit his social security number over the Internet unless the connection is secure or the social security number is encrypted; (iv) requiring an individual to use his social security number to access an Internet website, unless a password or unique personal identification number or other authentication device is also required to access the site; (v) requiring an individual to provide his social security number to access or receive goods or services, unless required by state or federal law; and (vi) printing an individual's social security number on any materials that are mailed to the individual, unless state or federal law requires the social security number to be on the document to be mailed. The bill provides an exemption for those situations in which a social security number has been and is being continuously used if the user provides an annual disclosure and a cost-free opportunity to discontinue use to the number holder. The bill allows using the social security number if its use is required by law or for internal verification or administrative purposes. Health insurance companies have until January 1, 2005, to comply for renewing subscribers. The bill also requires that insurance plans for state employees assign an identification number that is not a covered employee's social security number. Finally, the bill amends the Virginia Consumer Protection Act to prohibit a supplier from using a consumer's social security number when the consumer requests that his driver's license number be used. Current law requires that a supplier only provide an alternate number if the consumer so requests in writing. This bill provides consumers with another option other than providing their social security numbers and writing to the supplier for a new number.

Patron - May

7 HB1067 Enterprise zone designations. Allows any enterprise zone to consist of three noncontiguous zones while a joint enterprise zone between localities may consist of the joint zone plus two noncontiguous areas.

Patron - Armstrong

7 SB64 Enterprise zone tax credits. Allows enterprise zone tax credits to be used for mixed-use real property. The bill also permits owners who rehabilitate or expand real property to treat a tenant of such property as having incurred the expenses of rehabilitation or expansion, and amends the definition of a permanent full-time position.

Patron - Martin

7 SB65 Enterprise Zone Act. Increases the maximum real property investment tax credit from \$125,000 per small qualified zone resident in any five-year period to \$125,000 per zone resident per facility placed in service. The new maximum credit amount only applies to expanded, rehabilitated, or newly

constructed real property that is placed in service in taxable years beginning on or after January 1, 2003.

Patron - Martin

Unemployment Compensation

Passed

D HB288 Unemployment compensation; disqualification for benefits. Provides that misconduct, for purposes of disqualification for unemployment compensation benefits, includes a willful and deliberate violation of a standard or regulation of the Commonwealth, by an employee of an employer licensed by the Commonwealth, which violation would cause the employer to be sanctioned or have its license suspended by the Commonwealth. The Unemployment Compensation Commission may consider mitigating circumstances in determining whether misconduct occurred.

Patron - Griffith

D HB529 Unemployment compensation; definition of employment services. Excludes from the definition of "employment services," for the purposes of unemployment compensation benefits, work performed by an inmate of a custodial or penal institution for the institution or while in the Diversion Center Incarceration Program. In a conforming amendment, the bill eliminates the exemption of employers with regard to such inmates from responsibility for benefit charging.

Patron - Hogan

D SB9 Virginia Employment Commission workforce plan. Eliminates the Virginia Employment Commission's requirement to develop a workforce plan to be implemented during times of economic recession, natural disaster or military mobilization whereby necessary workers can be provided. This bill is a recommendation of the Joint Subcommittee to Study the Operations, Practices, Duties, and Funding of the Commonwealth's Agencies, Boards, Commissions, Councils, and Other Governmental Entities.

Patron - Ruff

D SB130 Unemployment compensation; penalties for late filing. Increases the penalty assessed against employers for filing a late report from \$30 to \$75. The penalty may be avoided by a showing of good cause for the employer's failure to file.

Patron - Watkins

D SB179 Unemployment compensation; benefit charges. Provides that an employer shall not be responsible for benefit charges due to unemployment resulting from a temporary work closure forced by a disaster for which the Governor has declared a state of emergency. The benefit charges, not to exceed four weeks, will be pool costs.

Patron - Blevins

D SB194 Unemployment compensation benefits; termination before resignation. Provides that where an employee gives notice of resignation, and the employer subsequently terminates him effective prior to the date specified in the resignation notice, the employer shall be liable for a maximum of two weeks of benefits (absent a finding of good cause for the employee's resignation or misconduct). Under current law, if an employer does not terminate an employee immediately after the employee gives notice of his resignation, but eventually terminates him prior to the specified resignation

date, the employer is fully liable for payment of unemployment compensation benefits. The bill permits an employee to obtain up to two weeks of benefits if he gives a two-week notice of resignation, is terminated on that basis, and faces a two-week delay in starting his new employment.

Patron - Reynolds

Failed

: HB177 Unemployment compensation; benefits disqualification. Eliminates the provision permitting disqualification for unemployment compensation benefits on the basis that the individual voluntarily left his employment to accompany his spouse to, or join his spouse in, a new locality. An individual who left his employment to accommodate a spouse's move, could, if otherwise eligible, qualify for unemployment compensation. This bill is incorporated into HB 1288.

Patron - Baskerville

: HB329 Unemployment compensation; disqualification for benefits. Provides that misconduct, for purposes of disqualification for unemployment compensation benefits, includes an action by an employee of an employer licensed by the Department of Social Services (DSS) that violates a DSS standard or regulation, which violation would cause the employer to be sanctioned or have its license suspended by DSS.

Patron - Griffith

: HB505 Unemployment compensation; allowable earnings. Increases the amount of wages that a recipient of unemployment benefits can earn, without having such benefits offset by the amount of wages, from \$25 to \$100.

Patron - Keister

: HB840 Unemployment compensation for victims of domestic violence or sexual assault. Provides that a claimant's voluntary departure from work as a direct result of domestic violence or sexual assault constitutes "good cause" for leaving employment and will not disqualify the claimant from receiving unemployment benefits. Benefits paid to qualifying claimants shall be charged against the pool rather than against the claimant's employer.

Patron - Baskerville

: SB129 Unemployment compensation; representation by Attorney General. Provides that the Office of the Attorney General will represent the Commonwealth at hearings to determine whether an employing unit is an employer and whether services performed constitute employment, if requested by the Virginia Employment Commission and agreed to by the Attorney General. Under current law, the Attorney General is required to represent the Commonwealth at such hearings.

Patron - Watkins

Carried Over

7 HB1288 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 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. This bill incorporates HB 177.

Patron - Tata

7 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

7 SB621 Unemployment compensation; minimum qualifying earnings. Increases from \$2,500 to \$3,500 the amount that an employee must have earned in the two highest earnings quarters of his base period (the first four of the preceding five calendar quarters) in order to be eligible for unemployment compensation benefits.

Patron - Wagner

Waters of the State, Ports and Harbors

Passed

D HB440 Oil discharge plans. Provides operators of tank vessels with options regarding the types of oil discharge contingency plans and financial responsibility mechanisms that have to be submitted to operate in Virginia waters. Under current law, an oil discharge contingency plan has to be filed and approved by the State Water Control Board and the operator of the tank vessel has to also deposit, with the Board, cash or its equivalent in the amount of \$500 per gross ton of such vessel to assure against any environmental damage. This bill would allow the operator the option of submitting a U.S. Coast Guard-approved vessel response plan in place of the state-required contingency plan, and meet the financial assurance requirement by having a U.S. Coast Guard-approved Certificate of Financial Responsibility.

Patron - Suit

D HB535 Big Sandy River watershed. Allows localities within the Big Sandy River watershed to bring enforcement actions against any person obstructing or dumping refuse in any tributary of the Big Sandy River; allows localities to remove obstructions that might endanger the public health or safety and to recover such costs; and provides for recovery of court costs and attorneys' fees to the prevailing party authorized to bring an action. This bill allows localities within the Big Sandy River watershed to adopt an ordinance to require any person to notify the locality before constructing, placing, or putting a bridge, culvert, or drainpipe across the Big Sandy River or its tributaries. This bill exempts activities conducted pursuant to a permit issued by a state agency and authorized silvicultural activities from its provisions.

Patron - Stump

D HB603 No discharge zones. Directs the State Water Control Board to adopt certain regulations for no discharge zones to control the discharge of sewage from boats and vessels and to require marinas to notify boat patrons of the no discharge restrictions.

Patron - Dudley

D HB639 Siting of landfills. Authorizes Appomattox County to construct a landfill closer to an existing public water supply intake or reservoir than is allowed by law, if the Director of the Department of Environmental Quality finds that

the distance would not be detrimental to human health and the environment. The bill provides that a new landfill in Appomattox can be sited in a wetland. Under current law, a landfill cannot be within five miles upgradient of any water supply intake or reservoir and cannot impact 1.25 acres or more of wetlands. The bill also prohibits any further exemptions from the landfill siting requirements unless an environmental impact statement has been submitted to the Virginia Waste Management Board. The report is required, as a minimum, to address the environmental impacts related to the exemption that is being requested. The Board is also required to hold a public hearing on the environmental impact report before it makes any recommendations to the General Assembly regarding specific exemptions.

Patron - Abbitt

D HB685 Virginia Water Protection Permit. Requires the State Water Control Board to review the application for a Virginia Water Protection general permit for completeness within 15 days of receiving the application. It is stipulated in the bill that certifying the completeness of the application does not mean the Board will issue the permit, only that it contain sufficient information to process the application.

Patron - Rapp

D HB955 Confined animal feeding operations. Clarifies that any civil penalty imposed for violating a confined animal feeding operation permit shall not exceed \$2,500 for any confined animal feeding operation that is covered by a Virginia Pollution Abatement permit.

Patron - Barlow

D HB1227 Rappahannock River Basin Commission. Provides that the Rappahannock River Basin Commission is created as an independent local entity without political subdivision status. This bill provides further that the membership of the Commission shall be based on House and Senatorial Districts with representation from certain local governing bodies. To facilitate the conduct of business, 12 or one-third of the members of the Commission constitutes a quorum. Reducing the number of members required for a quorum addresses the problem of obtaining a sufficient number of members at meetings due to the vast size of the Commission. Members of the Commission are not eligible to receive compensation or reimbursement for their expenses incurred in the performance of their duties. The bill also contains several technical amendments to streamline and conform the relevant sections pertaining to the Commission to the Joint Rules Committee's legislative guidelines for collegial bodies. This bill is a recommendation of the Joint Rules Committee.

Patron - Wardrup

D HB1450 Petroleum Storage Tank Fund. Limits the exposure of the Virginia Petroleum Storage Tank Fund to third-party claims against the Fund. The Fund is used to reimburse owners of petroleum storage tanks for the costs of cleaning up oil releases from the tanks. It is also used to meet federal requirements that owners of underground storage tanks have insurance or the financial capacity to clean up any release. This bill would clarify that the Fund can be used to reimburse tank owners for costs they incur relating to third party damages only in the amount that is reasonable and necessary based upon the actual damage caused by the release.

Patron - Oder

D SB110 Water supply plan regulations. Delays the effective date of water supply plan regulations one year. Under the bill passed in 2003, the State Water Control Board was prohibited from finalizing the water supply plan regulations prior to July 1, 2004. Because the Technical Advisory Committee

has not completed its drafting of these regulations, the date on which the regulations can become effective has been delayed until after July 1, 2005.

Patron - Williams

D SB267 The Rivanna River Basin Commission. Establishes the Rivanna River Basin Commission to provide guidance for the stewardship and enhancement of the water and natural resources of the Rivanna River Basin. The Commission is to provide a forum in which local governments and citizens can discuss issues affecting the Basin's water quality and quantity and other natural resources. The Commission shall consist of 14 members, including eight officials from local governing bodies, two members from soil and water conservation districts, and four citizens at large.

Patron - Deeds

D SB406 Roanoke River Basin Advisory Commission membership. Changes the method for appointing nonlegislative citizen members and adds two nonlegislative citizens at large, one appointed by the Senate Committee on Rules and one appointed by the Speaker of the House of Delegates. As originally introduced, the legislation establishing the Commission empowered the six legislative members to appoint the citizen members from nominations submitted by the planning district commissions (PDCs) within the basin. During the 2003 session, the power to appoint the citizen members nominated by PDCs was given to the Speaker of the House of Delegates and the Senate Committee on Privileges and Elections. This bill returns appointive power to the legislative members of the Commission.

Patron - Ruff

D SB629 Wetlands mitigation. Allows an island in the Potomac adjacent to Virginia to be used as a mitigation bank. The bill also authorizes the State Water Control Board to inspect the property that is to be used as part of a mitigation bank.

Patron - Mims

Failed

: HB496 Obstructing or contaminating state waters. Includes floodways and 100-year floodplains in the prohibition of obstructing or contaminating state waters. This bill also expands venue to include similar courts in contiguous localities and allows the court to award costs, including the costs of expert testimony, and reasonable attorney's fees up to \$25,000, to the prevailing party authorized to bring the action.

Patron - Kilgore

: SB549 Big Sandy River. Allows any locality located within the Big Sandy River watershed to remove any obstructions dumped, placed, or put in tributaries of the Big Sandy River that might endanger public health or safety, provided that the owner of the property is given reasonable notice and a reasonable time to remove the obstruction. The locality may recover the costs for the removal of the obstruction from the owner of the property. This bill allows localities located within the Big Sandy River watershed to enforce the provisions of the bill and allows courts to award costs and expenses, including reasonable attorneys' fees, to the prevailing party. The bill contains an exemption for those activities that are conducted pursuant to a permit issued by a state agency.

Patron - Puckett

Carried Over

7 SB603 Duration of discharge permits. Requires that the duration of a Virginia Pollutant Discharge Elimination System permit be no less than five years. Currently, such permits are for terms not to exceed five years.

Patron - Bolling

7 SB639 Nitrogen and phosphorous loadings. Requires the State Water Control Board to adopt numeric pollutant loading allocations for nitrogen and phosphorous for each of the major Chesapeake Bay tributaries. The legislation establishes initial loading allocations, which will remain in place until the Board adopts its loading requirements. The Board is also authorized to establish, by guidance or policy, a point source pollutant trading program for nitrogen and phosphorous. The bill provides the specific elements the program must contain as a minimum.

Patron - Whipple

Welfare (Social Services)

Passed

D HB237 Income tax; Neighborhood Assistance Act tax credit. Extends the sunset date for the tax credits allowed under the Neighborhood Assistance Act from the close of fiscal year 2004 to the close of fiscal year 2009.

Patron - Nutter

D HB239 Neighborhood Assistance Act; donation of professional services; tax credit. Stipulates that the tax credit available to certain health care professionals who donate services shall be available if the organization that operates the clinic where the services are donated has received an allocation of tax credits from the Commissioner of the Department of Social Services. Currently, the law provides such credit only if the clinic itself has received such allocation.

Patron - Nutter

D HB285 Donations of health care services by certain professionals; tax credit. Stipulates that physicians, dentists, nurses, nurse practitioners, physician assistants, optometrists, dental hygienists, professional counselors, clinical social workers, clinical psychologists, marriage and family therapists, physical therapists, and pharmacists licensed pursuant to Title 54.1 who provide health care services within the scope of their licensure, without charge, to patients of certain free and not-for-profit clinics, shall be eligible for the income tax credit under the Neighborhood Assistance Act, regardless of where the services are delivered. Currently, the Act requires that such services be provided at the free or not-for-profit clinic in order for these health care professionals to be eligible for the tax credit.

Patron - Cosgrove

D HB420 Child abuse and neglect; multidisciplinary investigation teams. Enables local social services departments to develop multidisciplinary teams to provide consultation to the local department during the investigation of selected cases involving child abuse or neglect and make recommendations regarding the prosecution of such cases. The teams may include members of the medical, mental health, legal and law-enforcement professions, including the attorney for the Commonwealth or his designee, a local child-protective services representative, and the guardian ad litem or other

court-appointed advocate for the child. The bill also contains provisions regarding the confidentiality of information exchanged during such consultation. This bill is identical to SB 429.

Patron - Watts

D HB635 Exception to regulation for assisted living facilities. Authorizes an exception to the regulatory requirement for assisted living facilities with special Alzheimer's care units that at least two direct care staff members be awake and on duty at all times who shall be responsible for the care and supervision of the residents under very limited circumstances. The exception will only be granted when the facility (i) offers a safe, secure environment in a freestanding self-contained unit for residents who have been assessed by an independent clinical psychologist or a licensed physician as having a serious cognitive impairment due to a primary psychiatric diagnosis of dementia; (ii) has an individual facility capacity that does not exceed five residents; (iii) is located in a converted single-family dwelling where the bedrooms, living space and common areas are located on the first level of the dwelling and such facility is located in an established residential neighborhood in any county having a population of no less than 259,000 and no greater than 263,000; (iv) has at least one direct care staff member in such facility at all times that residents are present who shall be responsible for the care and supervision of the residents; (v) has established written emergency procedures that provide for prompt assistance to the direct caregiver by other staff members who may be located at locations other than the facility where the assistance is requested, including a requirement that the direct caregiver have on his person a mobile electronic device that may be used to signal for emergency assistance; (vi) has established written criteria and procedures, in consultation with a licensed physician, to periodically review the appropriateness of each resident's continued residence in such facility and to provide for the transfer of any resident to another facility that has staffing of two or more direct care staff members whenever warranted by a change in a resident's condition; (vii) is operated by a limited liability company initially organized or authorized to transact business in Virginia before January 1, 1997, that operates at least three but no more than nine such facilities; (viii) has provided written notice to any current resident and his legally authorized representative within 30 days after the effective date of this act and, thereafter, to any new resident and his legally authorized resident at the time of admission that one direct care staff member rather than two is present at all times.

Patron - O'Bannon

D HB907 Medical assistance services; application. Provides that an application for medical assistance services for a person admitted to a State Veteran's Care Center located in the Commonwealth may be filed and processed in the jurisdiction where such Care Center is located.

Patron - Watts

D HB1109 Independent living services. Provides local departments of social services with statutory authorization to provide independent living services to persons between 18 and 21 years of age in order to help them transition from foster care to self-sufficiency. Currently, there is no state or federal law against providing such services, and this bill serves to codify the existing policy of allowing local departments to do so, if they choose. Consistent with this intent, the bill adds the provision of independent living services to persons between 18 and 21 years of age who are transitioning out of foster care to the services that may be provided by a children's residential facility.

Patron - Moran

D HB1135 Child protective services; training and investigation procedures. Requires the Department of Social Services Child Protective Services Unit to include standards of training regarding the legal duties of child protective services workers in order to protect the constitutional and statutory rights and safety of children and families from the initial time of contact during investigation through treatment. The bill also requires local departments of social services, at the initial time of contact with the person subject to a child abuse and neglect investigation, to advise the person of the complaints or allegations made against the person, in a manner that is consistent with laws protecting the rights of the person making the report or complaint. This bill is identical to SB 584.

Patron - McDonnell

D SB1 Out-of-Family Investigations Advisory Committee. Establishes a set membership of 15 members for Out-Of-Family Investigations Advisory Committee. Currently, the membership has no limit, but the committee must consist of at least nine members. Other changes to the makeup and operations of the committee conform to the Joint Rules Committee legislative guidelines for collegial bodies. This bill is a recommendation of the Joint Subcommittee to Study the Operations, Practices, Duties, and Funding of the Commonwealth's Agencies, Boards, Commissions, Councils, and Other Governmental Entities pursuant to HJR 159 (2002).

Patron - Martin

D SB35 Subsidized custody of children living with relative caregivers. Directs the Department of Social Services to establish a subsidized custody program for the benefit of children in the custody of a local board of social services on or after July 1, 2004, who are living with relative caregivers and for whom reunification with their natural parents and adoption by relatives are ruled out as placement options. A relative caregiver means a person, other than a natural parent, to whom the child is related by blood, marriage, or adoption. A relative caregiver shall obtain legal custody over such child. Within the limitations of federal funding and the subsidized custody appropriation to the Department, the subsidized custody program shall include (i) a one-time special-need payment, which shall be a lump sum payment for expenses resulting from the assumption of care of the child, (ii) services for the child, including but not limited to, short-term casework, information and referral, and crisis intervention, and (iii) a maintenance subsidy that shall be payable monthly to the relative caregiver equal to the prevailing foster care rate. The Department may establish an asset test for eligibility under the program. The subsidized custody payment shall be made pursuant to a subsidized custody agreement entered into between the local board and the relative caregiver. The relative caregiver receiving a custody subsidy shall submit annually to the local department a sworn statement that the child is still living with and receiving support from the relative. The parent of any child receiving assistance through the subsidized custody program shall remain liable for the support of the child. The bill requires the State Board of Social Services to promulgate emergency regulations and the Department to seek all federal waivers. The final enactment clause states the act shall not become effective unless federal funds are made available through a federal Title IV-E waiver and an appropriation of funds effectuating the purposes of the act is included in the biennial budget passed by the 2004 General Assembly and signed into law by the Governor.

Patron - Miller

D SB50 Duties of the Advisory Board on Child Abuse and Neglect. Adds to the general duties of the advisory board the duty of providing advice on child abuse and neglect issues identified by the Commissioner of the Department of

Social Services. The additional duty will give the advisory board specific direction in fulfilling its broad mandate of providing advice on all programs concerning programs for the prevention and treatment of abused and neglected children and their families. This bill is a recommendation of the Joint Subcommittee to Study the Operations, Practices, Duties, and Funding of the Commonwealth's Agencies, Boards, Commissions, Councils, and Other Governmental Entities pursuant to HJR 159 (2002).

Patron - Martin

D SB62 Adoption; child-placing agencies outside the Commonwealth. Requires any child-placing agency outside the Commonwealth, or its agent, that executes an entrustment agreement in the Commonwealth with a birth parent for the termination of all parental rights and responsibilities with respect to a child to comply with the Commonwealth's laws regarding entrustment agreements, revocations of entrustment agreements and birth parent counseling. Any entrustment agreement that fails to follow such requirements shall be void. The bill adds the requirement that an entrustment agreement for the termination of all parental rights and responsibilities shall be executed in writing and notarized.

Patron - Edwards

D SB78 Kinship care. Defines the practice of kinship care as the full-time care, nurturing, and protection of children by relatives. The bill requires a local board of social services to seek out kinship care options to keep children out of foster care and as a placement option for those children in foster care, if it is in the child's best interest.

Patron - Miller

D SB81 Donations of health care services by certain professionals; tax credit. Stipulates that physicians, chiropractors, dentists, nurses, nurse practitioners, physician assistants, optometrists, dental hygienists, professional counselors, clinical social workers, clinical psychologists, marriage and family therapists, physical therapists, and pharmacists licensed pursuant to Title 54.1 who provide health care services within the scope of their licensure, without charge, to patients of certain free and not-for-profit clinics, shall be eligible for the income tax credit under the Neighborhood Assistance Act, regardless of where the services are delivered. Currently, the Act requires that such services be provided at the free or not-for-profit clinic in order for these health care professionals to be eligible for the tax credit.

Patron - Obenshain

D SB181 Emergency electrical systems. Directs the State Board of Social Services to promulgate regulations for assisted living facilities with six or more residents to be able to connect by July 1, 2007, to a temporary emergency electrical power source for the provision of electricity during an interruption of the normal electric power supply. The installation shall be in compliance with the Uniform Statewide Building Code. This bill incorporates SB 292.

Patron - Blevins

D SB185 Central registry of founded complaints; checks for certain volunteer organizations. Adds any Virginia affiliate of Childhelp USA® to the list of organizations whose volunteer applicants shall be subject to a search of the central registry of founded complaints by the Department of Social Services for no cost. The central registry contains information obtained by the Department regarding a founded case of child abuse or neglect. Childhelp USA® is a not-for-profit entity organized to meet the physical, emotional, educational, and spiritual needs of abused and neglected children, primarily through treatment, prevention, and research. Other organiza-

tions that receive free central registry checks include Virginia affiliates of Big Brother/Big Sisters of America and Compeer, volunteer fire companies or rescue squads, and court-appointed special advocates.

Patron - Howell

D SB409 Child protective services; notification of parent. Requires the local department of social services to notify the custodial parent and make reasonable efforts to notify the noncustodial parent of a report of suspected abuse or neglect concerning a child who is the subject of an investigation or receiving family assessment, in those cases in which such custodial or noncustodial parent is not the subject of the investigation.

Patron - Ruff

D SB417 Child day centers; religious exemption from licensure. Clarifies that a child day center, including a child day center that is a child welfare agency, operated or conducted under the auspices of a religious institution shall be exempt from licensure requirements.

Patron - Newman

D SB429 Child abuse and neglect; multidisciplinary investigation teams. Enables local social services departments to develop multidisciplinary teams to provide consultation to the local department during the investigation of selected cases involving child abuse or neglect and make recommendations regarding the prosecution of such cases. The teams may include members of the medical, mental health, legal and law-enforcement professions, including the attorney for the Commonwealth or his designee, a local child-protective services representative, and the guardian ad litem or other court-appointed advocate for the child. The bill also contains provisions regarding the confidentiality of information exchanged during such consultation. This bill is identical to HB 420.

Patron - Wagner

D SB436 Neighborhood Assistance Act; sunset extension and tax credit increase. Extends the sunset for the Neighborhood Assistance Act from 2004 to 2009.

Patron - Locke

D SB584 Child protective services; training and investigation procedures. Requires the Department of Social Services Child Protective Services Unit to include standards of training regarding the legal duties of child protective services workers in order to protect the constitutional and statutory rights and safety of children and families from the initial time of contact during investigation through treatment. The bill also requires local departments of social services, at the initial time of contact with the person subject to a child abuse and neglect investigation, to advise the person of the complaints or allegations made against the person, in a manner that is consistent with laws protecting the rights of the person making the report or complaint. This bill is identical to HB 1135.

Patron - Bolling

D SB595 Grievance procedures of state and local social services employees. Changes the law by requiring the application of locally adopted grievance procedures to local social services employees. Currently, the state grievance procedures apply to state and local social services employees, unless a locality chooses to apply local procedures.

Patron - Howell

D SB612 Criminal background check; foster parents. Provides that a child-placing agency may approve as a foster parent an applicant convicted of statutory burglary for

breaking and entering to commit larceny, who has had his civil rights restored by the Governor, provided 25 years have elapsed following the conviction.

Patron - Ticer

Failed

: HB236 Faith-based and community initiatives; non-U.S. citizens. Requires the Virginia Department of Social Services to provide information and referral services to noncitizen residents of the Commonwealth who wish to become United States citizens, including guidance on the requirements of attaining citizenship, the benefits derived from citizenship, and a directory of public and private resources available for citizenship preparation. The bill also requires the Department to provide information to faith-based, private, volunteer, and community organizations, as well as local government and other state agencies, regarding federal naturalization laws and state and federal laws and regulations related to immigrants' access to federal and state programs. Such information shall be made available through the Department's website, among other methods.

Patron - Cox

: HB558 Child protective services; notification of criminal matters and child removal. Requires the local department of social services to notify within 24 hours of receipt of a complaint the attorney for the Commonwealth and the local law-enforcement agency and make available to them the records of the local department involving criminal child abuse or neglect. The bill also mandates that physicians, child protective workers or law-enforcement officials take children into custody without prior approval of parents or guardians for up to 72 hours when certain conditions are met rather than use discretion.

Patron - Keister

: HB861 Permanency planning for children in foster care. Changes the definition of independent living, as it relates to permanency planning for children in foster care, to mean a program of services and activities for children in foster care aged 14 years and older. Under current law, the definition applies to children aged 16 years and older.

Patron - Ingram

: HB1252 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 - Baskerville

: SB66 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 that the facilities are not licensed as child day centers, 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, requir-

ing 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 - Martin

: SB108 Parental placement adoption; how consent executed. Eliminates the requirement that the birth parent or parents execute consent to a parental placement adoption before the juvenile and domestic relations district court in person and in the presence of the prospective adoptive parents. Instead, the consent of the birth parents shall be in writing that has been signed and acknowledged before an officer authorized by law to take acknowledgement. The juvenile and domestic relations district court shall accept the consent of the birth parents at a hearing in the presence of the prospective adoptive parents and transfer custody of the child to the prospective adoptive parents, pending notification to any nonconsenting birth parent.

Patron - Williams

: SB314 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 excepts 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

: SB440 Virginia Targeted Jobs Grant Program; creation. Establishes the Virginia Targeted Jobs Grant Program to provide incentives to employers who hire persons who have been receiving Temporary Assistance to Needy Families for nine consecutive months. The program will run through taxable year 2008 and will provide employers with grants of up to \$1,000 per "qualified employee" who was hired and worked at least 1,000 hours in the preceding taxable year.

Patron - Locke

Carried Over

7 HB90 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

7 HB424 Assisted living facilities; special regulations for serving residents with serious mental illness, mental retardation or substance abuse problems. Requires assisted living facilities that choose to serve residents with serious mental illness, mental retardation or substance abuse problems to comply with the State Board of Social Service's regulations governing such placement. The Board's regulations shall require any assisted living facility serving residents with

serious mental illness, mental retardation or substance abuse problems to arrange, prior to admission, for the provision of necessary clinical treatment or habilitation by either the assisted living facility or qualified providers such as community services boards or private providers licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services. The regulations shall also require assisted living facilities serving more than a stipulated proportion of individuals with serious mental illness, mental retardation or substance abuse problems to be licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services, using a special module in its licensing regulations, to provide appropriate clinical treatment or habilitation directly or through contracts with other qualified providers, to those individuals. The Board's regulations shall establish the threshold for assisted living facilities serving a stipulated proportion of individuals with serious mental illness, mental retardation or substance abuse problems to be subject to the special module licensing regulation of the Department of Mental Health, Mental Retardation and Substance Abuse Services.

Patron - Watts

7 HB732 Adult protective services; reports made in bad faith. Establishes a circuit court procedure for a person who is alleged to have committed abuse, neglect or exploitation of an adult to access adult protective services records when the allegation against the person is believed to be made in bad faith or with malicious intent. If the circuit court determines that there is a reasonable question of fact as to whether the report was made in bad faith or with malicious intent and that disclosure of the identity of the complainant would not be likely to endanger the life or safety of the complainant, it shall provide to the person a copy of the records of the investigation. The original records shall be subject to discovery in any subsequent civil action regarding the making of a complaint or report in bad faith or with malicious intent.

Patron - Joannou

7 HB868 Hearsay by child in sexual abuse or neglect proceeding. Provides that hearsay statements by a child aged seven years or younger, made to a law-enforcement officer, a mental health professional, social worker, physician or nurse or other medical professional, or foster parent, are admissible in civil abuse and neglect proceedings. The statements are to be placed under seal in the case record and are not admissible in any other civil proceeding maintained for purposes other than adjudication of the question of neglect or abuse.

Patron - Byron

7 SB616 Parental placement adoptions. Provides that when a licensed child-placing agency or a local board of social services 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 a licensed child-placing agency or local board, either the parental placement adoption provisions or the agency adoption provisions will apply to the placement at the election of the birth parent. 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. 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 for nondisclosed agency adoptions where the birth parent or a person other than a licensed child-placing agency or local board designates the adoptive parents.

Patron - O'Brien

Wills and Decedents' Estates

Failed

: HB339 Qualification as administrator on intestate estate. Provides that if the court or clerk has any reason to question the descendency of a person seeking to qualify as administrator on an intestate estate based on his status as a sole distributee, the court or clerk may delay the grant of administration by no more than 30 days after application to make additional investigation of the applicant's credentials or to provide a period of public notice of the proposed qualification. No clerk shall be liable for deciding to exercise or not to exercise this authority.

Patron - Pollard

Workers' Compensation

Passed

D HB474 Workers' Compensation Insurance; self-insurers; deposit to secure payment. Authorizes the Workers' Compensation Commission to accept certificates of deposit, U.S. government bonds, letters of credit, and cash as instruments that will secure the payment of workers' compensation liabilities of self-insured employers. Currently, such employers may be required to deposit an acceptable security, indemnity, or bond. This bill is identical to SB 323.

Patron - Nixon

D HB864 Workers' compensation; lien by employer on settlement or verdict. Provides that an employer's payment of workers' compensation benefits creates not only a subrogation interest, but an actual lien against any proceeds obtained by verdict or settlement from a third party or recovered pursuant to the uninsured or underinsured motorist provisions of a motor vehicle insurance policy carried by the employer. Under current law, the employer has a subrogation interest in a recovery by the employee against a third party that it must enforce independently or perfect prior to verdict. The bill also provides that where the employer must sue to recover on its lien, it is not required to bear any share of the reasonable expenses and reasonable attorney's fees associated with that portion of its lien that is not preserved. This bill is identical to SB 588.

Patron - Byron

D HB1267 Workers' compensation; electoral board members. Clarifies that electoral board members are considered county and city employees who are defined as "employees" for purposes of eligibility for workers' compensation benefits. The bill is stated to be declaratory of existing law.

Patron - Byron

D SB323 Workers' Compensation Insurance; self-insurers; deposit to secure payment. Authorizes the Workers' Compensation Commission to accept certificates of deposit, U.S. government bonds, letters of credit, and cash as instruments that will secure the payment of workers' compensation liabilities of self-insured employers. Currently, such employers may be required to deposit an acceptable security, indemnity, or bond. This bill is identical to HB 474.

Patron - Stolle

D SB547 Workers' compensation; AmeriCorps members and Food Stamp Employment and Training Program participants. Provides that members of AmeriCorps and food stamp recipients participating in the work experience component of the Food Stamp Employment and Training Program shall be deemed to be employees of the Commonwealth for purposes of the Workers' Compensation Act. Such persons shall be eligible for reimbursement for medical costs from covered injuries, but shall not be eligible to receive weekly compensation. An emergency clause makes the bill effective upon passage.

Patron - Puckett

D SB558 Workers' compensation; lien by employer on settlement or verdict. Provides that an employer's payment of workers' compensation benefits creates not only a subrogation interest, but an actual lien against any proceeds obtained by verdict or settlement from a third party or recovered pursuant to the uninsured or underinsured motorist provisions of a motor vehicle insurance policy carried by the employer. Under current law, the employer has a subrogation interest in a recovery by the employee against a third party that it must enforce independently or perfect prior to verdict. The bill also provides that where the employer must sue to recover on its lien, it is not required to pay any share of the reasonable expenses and reasonable attorney's fees associated with that portion of its lien that is not preserved. This bill is identical to HB 864.

Patron - Norment

D SB597 Workers' Compensation Commission; powers. Provides that with respect to all matters within its jurisdiction, the Commission shall have the power of a court of record to administer oaths, to compel the attendance of witnesses and the production of documents, to punish for contempt, to appoint guardians and to enforce compliance with its lawful orders and awards.

Patron - Wagner

Failed

: SB56 Workers' compensation; choice of physician. Eliminates the requirement that an employer offer an employee a choice of three physicians. The employer will be required to provide to the injured employee medical attention from a physician chosen by the employee.

Patron - Miller

Carried Over

7 HB957 Workers' compensation; definition of injury. Provides that "injury" for volunteer or salaried firefighters includes an injury incurred during travel to or from their place of employment for the purposes of beginning or ceasing work.

Patron - Barlow

7 SB582 Workers' compensation; presumption as to death or disability. Adds volunteer or salaried emergency medical service providers to those employees for whom there exists a presumption that a (i) respiratory disease, (ii) hypertension or heart disease, or (iii) cancer, which causes death or disability, is an occupational disease, suffered in the line of duty.

Patron - Colgan

Constitutional Amendment Resolutions

Passed

D HB37 Constitutional amendment (voter referendum); succession to the office of Governor. Provides for a referendum at the November 2004 election on approval of an amendment to revise provisions concerning succession to the office of Governor. The amendment expands the list of successors to the office of Governor that presently includes the Lieutenant Governor, Attorney General, and Speaker of the House of Delegates, in case of an emergency or enemy attack that prevents the House of Delegates from meeting to elect a governor. The additional successors would include successor speakers, the President pro tempore of the Senate, and the majority leader of the Senate. The successor would be Acting Governor until the House of Delegates convened to elect a Governor. The amendment also includes authority for the General Assembly, by law, to provide for a waiver of certain eligibility requirements for the Attorney General and Speaker to succeed to the office of Governor in the event of an emergency or enemy attack upon the soil of Virginia. See also HJR 9, companion resolution.

Patron - Putney

D HJ9 Constitutional amendment (second resolution); succession to the office of Governor. Expands the list of successors to the office of Governor that presently includes the Lieutenant Governor, Attorney General, and Speaker of the House of Delegates, in case of an emergency or enemy attack that prevents the House of Delegates from meeting to elect a governor. The additional successors would include successor speakers, the President pro tempore of the Senate, and the majority leader of the Senate. The successor would be Acting Governor until the House of Delegates convened to elect a Governor. The amendment also includes authority for the General Assembly, by law, to provide for a waiver of certain eligibility requirements for the Attorney General and Speaker to succeed to the office of Governor in the event of an emergency or enemy attack upon the soil of Virginia. See also HB 37, companion referendum bill.

Patron - Putney

D HJ187 Memorializing Congress; defense of marriage. Urges Congress to propose a constitutional amendment to protect the fundamental institution of marriage as a union between a man and woman and to declare that the uniting of persons of the same or opposite-sex in a civil union, domestic partnership, or other similar relationship as a substitution for such marriage shall not be valid or recognized in the United States. Recent court decisions, including the November 18, 2003, Massachusetts decision, have overturned many state laws that ban same-sex marriages. The Massachusetts ruling has been deemed the most far-reaching because it also defines marriage as the voluntary union of two persons as spouses, to the exclusion of all others. This resolution is identical to SJR 91.

Patron - McDonnell

D HJ194 Constitutional convention to amend the Constitution of the United States. Rescinds all past resolutions of the General Assembly applying to the Congress to call a convention to amend the Constitution. Past resolutions

include applications for conventions to consider presidential item veto powers and balanced budget requirements.

Patron - Landes

D HR4 Memorializing the Congress of the United States. Memorializes Congress to propose for ratification an amendment to the Constitution of the United States to prohibit federal courts from ordering or instructing any state or local unit of government to levy or increase taxes.

Patron - Lingamfelter

D SB18 Constitutional amendment (voter referendum); effective dates of decennial redistricting measures; vacancies. Provides for a referendum at the November 2004 election on approval of a proposed constitutional amendment to revise provisions concerning the effective date and implementation of decennial redistricting measures. The proposed amendment continues the requirement that decennial reapportionment or redistricting measures shall be enacted in the first year after the decennial census (2011, etc.). It spells out that the new lines will be implemented for the first November general election held just prior to the expiration of the term being served in the year of the redistricting. The new language, in effect, continues the existing practice and understanding that there will be regular November elections from new districts in 2011 for the House of Delegates and Senate, in 2012 for the United States House of Representatives, in 2021 for the House of Delegates, in 2022 for the House of Representatives, in 2023 for the Senate, and so forth. It further provides explicitly that the members in office when a decennial reapportionment law is enacted shall complete their terms of office and continue to represent the districts from which they were elected for the duration of those terms of office. Another new provision specifies that any vacancy occurring during such terms will be filled from the preexisting district, i.e., the same district that elected the member whose vacancy is being filled. The proposed amendment continues the present provision that reapportionment laws take effect "immediately" without being subject to the usual requirement for a four-fifths vote in each house of the General Assembly to approve an emergency measure. This exception to the emergency vote requirement remains necessary. There is usually only a short time available to draw new lines after the release of census redistricting data early in the year following the census, and before the nomination and election timetable begins for that year's November election. If approved by the voters, the amendment will take effect January 1, 2005. See also SJR 6, companion resolution.

Patron - O'Brien

D SJ6 Constitutional amendment (second resolution); effective dates of decennial redistricting measures; vacancies. Continues the requirement that decennial reapportionment or redistricting measures shall be enacted in the first year after the decennial census (2011, etc.). The proposed amendment spells out that the new lines will be implemented for the first November general election held just prior to the expiration of the term being served in the year of the redistricting. The new language, in effect, continues the existing practice and understanding that there will be regular November elections from new districts in 2011 for the House of Delegates and Senate, in 2012 for the United States House of Representatives, in 2021 for the House of Delegates, in 2022 for the House of Representatives, in 2023 for the Senate, and so forth. The proposed amendment further provides explicitly that the members in office when a decennial reapportionment law is enacted shall complete their terms of office and continue to represent the districts from which they were elected for the duration of those terms of office. Another new provision specifies that any vacancy occurring during such terms will be filled from the preexisting district, i.e., the same district that elected

the member whose vacancy is being filled. The proposed amendment continues the present provision that reapportionment laws take effect "immediately" without being subject to the usual requirement for a four-fifths vote in each house of the General Assembly to approve an emergency measure. This exception to the emergency vote requirement remains necessary. There is usually only a short time available to draw new lines after the release of census redistricting data early in the year following the census, and before the nomination and election timetable begins for that year's November election. See also SB 18, companion referendum bill.

Patron - O'Brien

D SJ91 Memorializing Congress; defense of marriage. Urges Congress to propose a constitutional amendment to protect the fundamental institution of marriage as a union between a man and woman and to declare that the uniting of persons of the same or opposite-sex in a civil union, domestic partnership, or other similar relationship as a substitution for such marriage shall not be valid or recognized in the United States. Recent court decisions, including the November 18, 2003, Massachusetts decision, have overturned many state laws that ban same-sex marriages. The Massachusetts ruling has been deemed the most far-reaching because it also defines marriage as the voluntary union of two persons as spouses, to the exclusion of all others. This resolution is identical to HJR 187.

Patron - Cuccinelli

Failed

: **HB1104 Constitutional amendment (voter referendum); restoration of civil rights for certain felons.** Provides for a referendum at the November 2004 election on approval of an amendment to revise provisions concerning restoration of civil rights. The amendment 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 bill 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. This bill is identical to SB 17. See also HJR 204, companion resolution

Patron - Moran

: **HJ204 Constitutional amendment (second 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. See also HB 1104, companion referendum bill.

Patron - Moran

: **SB17 Constitutional amendment (voter referendum); restoration of civil rights for certain felons.** Provides for a referendum at the November 2004 election on approval of an amendment to revise provisions concerning restoration of civil rights. The amendment 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 bill 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. This bill is identical to HB 1104. See also SJR 4, companion resolution

Patron - Miller

: **SJ3 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 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. Vacancies occurring before the next general election for the office are to be filled, if filled, from the district as constituted when the member, whose vacancy is being filled, was elected to office. 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

: **SJ4 Constitutional amendment (second 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. See also SB 17, companion referendum bill.

Patron - Miller

: **SJ18 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, 2007, 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 two-thirds vote of the members in each house. However, Fund proceeds used for other purposes must be repaid to the Fund within four years. A substitute for this resolution was reported by the Senate Committee on Privileges and Elections that incorporated SJRs 54 and 60 and was identical to HJR 136 as introduced.

Patron - Howell

: **SJ33 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 amendment also provides that any revenues collected in excess of such limitation less than or equal to one percent of such limitation shall be deposited in the Revenue Stabilization Fund. Any excess revenues greater than such one percent, less mandatory deposits to the Revenue Stabilization Fund, shall be returned to individual income taxpayers. "Total appropriations" is defined as not to include moneys appropriated that are received from the federal government or an agency or unit thereof. The General Assembly may make appropriations in excess of such 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

: **SJ54 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 was incorporated into a substitute for SJR 18 that was reported by the Senate Committee on Privileges and Elections. This resolution is incorporated into SJR 18.

Patron - O'Brien

: **SJ59 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 five-member Commission are to be made in the census year as follows: one each by the majority and minority party leaders of the Senate and House of Delegates and a fifth member appointed by the Supreme Court. The Commission is directed to file preliminary district plans for the House of Representatives, Senate, and House of Delegates within 30 days of receipt of the federal census data. Then there is a 30-day period for filing corrections and exceptions. The Commission next files a revised plan within 20 days and a final plan 20 days thereafter. 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 becomes law complete their terms and continue to represent the district as constituted when they were elected. Vacancies occurring before the next general election for the office are to be filled from the district as constituted when the member, whose vacancy is being filled, was elected to office. The standards to govern redistricting plans include the current Constitution's standards on population equality, compactness, and contiguity and an additional standard to minimize splits of localities. The Commission is patterned after the Pennsylvania Legislative Reapportionment Commission.

Patron - Whipple

: **SJ60 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 78 percent of the revenues generated by the 1986 package of tax and fee increases. The remaining 22 percent may be appropriated to the Commonwealth Port, Airport, and Mass Transit Funds. The amendment limits the use of Trust Fund moneys to current highway construction, reconstruction, maintenance, and improvements. This resolution was incorporated into a substitute for SJR 18 that was reported by the Senate Committee on Privileges and Elections. This resolution is incorporated into SJR 18.

Patron - Williams

: SJ94 United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. This joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.

Patron - Ticer

Carried Over

7 HJ3 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

7 HJ4 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

7 HJ5 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

7 HJ7 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 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. Vacancies occurring before the next general election for the office are to be filled, if filled, from the district as constituted when the member, whose vacancy is being filled, was elected to office.

Patron - Morgan

7 HJ21 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. The amendment limits the use of Trust Fund moneys to current highway construction, reconstruction, maintenance, and improvements. The General Assembly may borrow or transfer monies from the Fund for other purposes only by a four-fifths vote of members in each house and the monies must be repaid within four years.

Patron - Albo

7 HJ80 Constitutional amendment (first resolution); limitation on appropriations; exceptions. Prohibits any appropriation or expenditure by the General Assembly, for any fiscal year, of revenues in excess of the total revenue provided by law, including tax increases. An exception is provided for times of insurrection or in the defense of the Commonwealth or United States.

Patron - Purkey

7 HJ129 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 such surplus exceeds \$50 million.

Patron - Janis

7 HJ136 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 is identical to a substitute for SJR 18 that was reported by the Senate Committee on Privileges and Elections.

Patron - Plum

7 HJ145 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 amendment also provides that any revenues collected in excess of such limitation, after any requisite payments are made to the Revenue Stabilization Fund, shall be distributed by returning 50 percent to individual taxpayers and distributing 50 percent to counties and cities for special projects. "Total appropriations" is defined to include moneys appropriated to the general fund and special funds.

Patron - McDougle

7 HJ148 Constitutional amendment (first resolution); state and local funding for public education. Requires the General Assembly, in apportioning the state and local share for supporting an educational program meeting the Standards of Quality (SOQ), to ensure that the state share is no less than one-third of the total costs of providing such educational program in each school division. Currently, each locality's share of SOQ costs is apportioned pursuant to the composite index of local ability to pay. This weighted formula compares three local measures of wealth--real property values, adjusted gross income, and local option sales taxes--to statewide averages and adjusts these indicators by student population and total population. The sum of two-thirds of the student population (Average Daily Membership or ADM) component and one-third of the population component is then multiplied by a local nominal share of the SOQ designated by the appropriation act. The product of this formula--the local composite index (LCI)--is then applied to the established SOQ costs, less the estimated sales and use tax revenues returned to the locality on the basis of its school-age population, to determine required local expenditures to meet the SOQ. The 2003 Appropriation Act sets a composite index of .8000 as the maximum index that will be used to compute local shares, thereby guaranteeing a minimum state contribution of 20 percent in those localities with a high fiscal capacity. The Commonwealth provides 55 percent of SOQ costs statewide; localities provide the remaining 45 percent (2003 Acts of Assembly, c. 1042, § 1-54, Item 147 A 4).

Patron - Petersen

7 HJ171 Constitutional amendment (first resolution); unfunded state mandates. Provides that the Commonwealth is prohibited from (i) reducing the state-financed proportion of the costs of any existing activity or service required of localities or (ii) mandating new activities or services without full funding.

Patron - Pollard

7 HJ173 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 11-member Commission are to be made in the census year by the most recently retired living Chief Justice of the Virginia Supreme Court. Appointments are to be made to represent each congressional district. Persons to be appointed to the Commission shall be retired justices or judges of the Supreme Court, Court of Appeals, or circuit courts. 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 plans shall be effective for the next 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. Vacancies occurring before the next general election for the office are to be filled, if filled, from the district as constituted when the

member, whose vacancy is being filled, was elected to that office. The amendment also provides for 40 senators and 100 delegates rather than the present ranges of 33 to 40 senators and 90 to 100 delegates.

Patron - Barlow

7 HJ175 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 Trust Fund moneys to transportation and related purposes. The General Assembly may borrow from the Fund for other purposes or reduce the level of required appropriations to the Fund 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 is identical to HJR 188 and 277.

Patron - Hugo

7 HJ188 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. 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 with reasonable interest within four years. This resolution is identical to HJR 175 and 277.

Patron - McDonnell

7 HJ189 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, except 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 as not to include moneys appropriated that are received from the federal government or an agency or unit thereof.

Patron - Frederick

7 HJ190 Constitution of Virginia (first resolution); enactment of laws and ordinances. Requires a two-thirds vote of the members voting in each house of the General Assembly to impose, continue, increase, or revive a tax and at the local level of government requires a two-thirds vote of all members elected to any local governing body to adopt an ordinance that imposes or increases a tax.

Patron - Frederick

7 HJ191 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, mainte-

nance, and improvements, public transportation, railways, sea-ports, 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.

Patron - Frederick

7 HJ200 Constitutional amendment (first resolution); state and local funding for public education. Requires the General Assembly, in apportioning the state and local share for supporting an educational program meeting the Standards of Quality, to ensure that the state share is no less than 55 percent of the total statewide costs, that disparity among school divisions in the ability to pay is taken into account, and that no school division receives less state funding per pupil than it received in 2004.

Patron - Scott, J.M.

7 HJ202 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 five-member Commission are to be made in the year 2010 and each tenth year thereafter as follows: one each by the majority and minority party leaders of the Senate and House of Delegates from a pool of nominees provided by the Supreme Court and a fifth independent member appointed by the four partisan members from a pool of nominees provided by the Supreme Court. The Commission is directed to file district plans for the Senate and House of Delegates within 30 days of receipt of the federal census data and for congressional districts within 90 days of receipt of the federal census data. There is a 30-day public comment period. The standards to govern redistricting plans include population equality, compactness, contiguity, respect for communities of interest, use of geographic features and locality boundaries in drawing lines, and creation of competitive districts. Use of political data is limited to testing the effects of a plan. Information on incumbent and candidate residence is not to be used. The Commission is patterned after the Arizona Independent Redistricting Commission.

Patron - Moran

7 HJ206 Constitutional amendments (first resolution); privacy rights. Proposes amendments to Sections 1 and 10 of Article I, relating to protection against governmental intrusion and invasion of privacy and against unreasonable searches and seizures, including unreasonable interception of private communications of any kind.

Patron - Baskerville

7 HJ246 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 June 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. Vacancies occurring before the next general election for the office are to be filled, if filled, from the district as constituted when the member, whose vacancy is being filled, was elected to office. 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

7 HJ277 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 Trust Fund moneys to transportation and related purposes. The General Assembly may borrow from the Fund for other purposes or reduce the level of required appropriations to the Fund 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 is identical to HJR 175 and 188.

Patron - Marshall, R.G.

7 HJ293 Constitutional amendment (first resolution); property exempt from taxation. Provides that the General Assembly may give local governments the option of exempting or partially exempting real property affected by resource protection areas and buffers.

Patron - Rapp

7 SJ17 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.

Patron - Edwards

7 SJ84 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. If this resolution is enacted by either the 2004 or 2005 General Assembly a second resolution must be introduced and enacted by the 2006, General Assembly in order for this amendment to be on the November 2006 general election ballot.

Patron - Hanger

7 SJ85 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.

Patron - Hanger

Other Resolutions

Passed

D HJ78 Commending the Brown v. Board of Education 50th Anniversary Commission. Commends the Brown v. Board of Education 50th Anniversary Commission on leading the national commemoration of the 50th anniversary of the desegregation of the nation's public schools. Congress, on September 18, 2001, enacted Public Law 107-41, establishing the Brown v. Board of Education 50th Anniversary Commission to encourage and provide for the commemoration of the 50th anniversary of this landmark Supreme Court decision. The President of the United States, the U.S. Department of Education, the U.S. Department of Justice, and the Chief Justice of the United States Supreme Court appointed the Commission members. The commissioners represent the Brown Foundation for Education Equity, Excellence and Research; the National Association for the Advancement of Colored People; the National Association for the Advancement of Colored People Legal Defense and Education Fund; the Brown v. Board of Education National Historic Site; various federal agencies; each of the five states which were party to the Brown decision; and Massachusetts, the site of the first legal challenge to segregated schools in *Roberts v. City of Boston* (1849). The Commission has held its meetings in the party states, one each in Columbia, South Carolina; Wilmington, Delaware; Topeka, Kansas; Richmond and Farmville, Virginia; and the District of Columbia. A meeting was also held in Boston, Massachusetts. Under the leadership of the Dr. Martin Luther King, Jr. Memorial Commission, which has been directed to plan, coordinate, and implement Virginia's commemoration of the decision, Virginia launched its official 18-month long commemoration of Brown v. Board of Education with the three-day State visit of the Brown v. Board of Education 50th Anniversary Commission. This resolution is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission. This resolution is identical to SJR 26.

Patron - Bryant

D HJ126 Leadership and contributions of the local career and technical education advisory councils to the quality of career and technical education in Virginia. Recognizes the value of the local career and technical education advisory councils across Virginia in providing the essential link between employers and instructional personnel and programs. The resolution notes that the local advisory councils continue to work tirelessly and determinedly to improve career and technical curricula and opportunities for career and technical education students by supporting projects to advance career and technical education, developing mechanisms for ensuring program continuity and meeting employers' needs, and encouraging modernization of programs, curriculum and equipment. The member of the local advisory councils are volunteers whose work, without pay and usually without recognition, benefits the communities in which they live, the public school career and technical education programs, and the many students whose lives they touch. In addition to the recognition provided in this resolution, the legislative Advisory Council on Career and Technical Education commits to recognizing the members of the local career and technical education advisory councils through a 2004 recognition ceremony and certificates of appreciation for their diligent and essential work in supporting and promoting career and technical education in Virginia.

Patron - Hamilton

D HJ168 Great Virginia Teach-In. Designates March 27 and 28, 2004, as the Great Virginia Teach-In in the Commonwealth. These dates coincide with the days that a job fair featuring teacher preparation programs, educational financing options, job recruiters and other exhibitors will be held in the Commonwealth to attract a wider and more diverse pool of teaching applicants.

Patron - Ward

D HJ180 Designating Adoption Day in Virginia. Designates the third Saturday in November 2004 and in each succeeding year, as Celebrate Adoption Day in Virginia.

Patron - Saxman

D HJ259 State History Museum. Designates the Virginia Historical Society as the Official State Historical Society in Virginia.

Patron - Howell, W.J.

D HJ261 Virginia Strategy for Growth and Manufacturing Renewal. Expresses the General Assembly's support for the Virginia Manufacturers Association's Virginia Strategy for Growth and Manufacturing Renewal.

Patron - Hogan

D HJ278 Recognizing and supporting members of the National Guard and Reserve. Expresses the General Assembly's support for the National Guard and Reserve by encouraging local governments and private employers to conduct awareness programs and by holding Military Appreciation Day and other ceremonies.

Patron - Johnson

D HJ287 Dahlgren Navy Base. Expresses the General Assembly's support of Naval District Washington West Area (Dahlgren) Base.

Patron - Pollard

D HJ292 Take Your Kids to Vote Day in Virginia. Designates November 2, 2004, and each election day thereafter, as Take Your Kids to Vote Day in Virginia.

Patron - Saxman

D HR14 Pledge of Allegiance. Encourages the United States Supreme Court to uphold in *Elk Grove Unified School District v. Newdow* a public school district policy that allows willing students to recite the Pledge of Allegiance. The Supreme Court agreed to hear this case on October 14, 2003.

Patron - Cole

D HR17 Values and ideals of Western civilization. Encourages Virginia's local school boards to ensure that the values and ideals of Western civilization are taught effectively in the Commonwealth's classrooms.

D SJ26 Commending the Brown v. Board of Education 50th Anniversary Commission. Commends the Brown v. Board of Education 50th Anniversary Commission on leading the national commemoration of the 50th anniversary of the desegregation of the nation's public schools. Congress, on September 18, 2001, enacted Public Law 107-41, establishing the Brown v. Board of Education 50th Anniversary Commission to encourage and provide for the commemoration of the 50th anniversary of this landmark Supreme Court decision. The President of the United States, the U.S. Department of Education, the U.S. Department of Justice, and the Chief Justice of the United States Supreme Court appointed the Commission members. The commissioners represent the Brown Foundation

for Education Equity, Excellence and Research; the National Association for the Advancement of Colored People; the National Association for the Advancement of Colored People Legal Defense and Education Fund; the Brown v. Board of Education National Historic Site; various federal agencies; each of the five states which were party to the Brown decision; and Massachusetts, the site of the first legal challenge to segregated schools in *Roberts v. City of Boston* (1849). The Commission has held its meetings in the party states, one each in Columbia, South Carolina; Wilmington, Delaware; Topeka, Kansas; Richmond and Farmville, Virginia; and the District of Columbia. A meeting was also held in Boston, Massachusetts. Under the leadership of the Dr. Martin Luther King, Jr. Memorial Commission, which has been directed to plan, coordinate, and implement Virginia's commemoration of the decision, Virginia launched its official 18-month long commemoration of Brown v. Board of Education with the three-day State visit of the Brown v. Board of Education 50th Anniversary Commission. This resolution is identical to HJR 78.

Patron - Marsh

D SJ39 Transit options in the U.S. Route 1 corridor. Recognizes the need for various transit options in the U. S. Route 1 corridor in Fairfax and Prince William counties.

Patron - Puller

D SJ49 School of pharmacy in Buchanan County. Endorses the establishment of a school of pharmacy in Buchanan County. This resolution notes the need for economic development projects in Southwest Virginia and the recent establishment of the Appalachian School of Law and the proposal for a pharmacy school at the University of Appalachia in Grundy. A \$3 million loan has been granted for the construction of the pharmacy school and the Board of Supervisors of Buchanan County has strongly endorsed this project. Copies of the resolution are to be transmitted to the members of the Virginia Congressional Delegation and the Governor with directions to disseminate the resolution to relevant federal officials and various state higher education entities, respectively.

Patron - Puckett

D SJ73 Brown v. Board of Education Year in Virginia. Designates 2004 and 2005, as Brown v. Board of Education Years in Virginia, and requests the Governor to call upon the citizens of Virginia to observe the designated commemorative period by engaging in the activities offered in their communities. This resolution is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission.

Patron - Marsh

D SJ79 Importation of municipal solid waste. Urges Congress to enact the State Waste Empowerment and Enforcement Provision Act of 2003 (HR 1123). This legislation would allow states to regulate the information of municipal solid waste into their respective jurisdictions.

Patron - Obenshain

D SJ112 Commemorating the 100th Anniversary of The Souls of Black Folk by Dr. William Edward Burghardt Du Bois. Commemorates the 100th Anniversary of *The Souls of Black Folk*, a monumental literary work in African-American and American letters, concerning the double consciousness of African Americans and race relations in America. The resolution also notes that Dr. William Edward Burghardt Du Bois may best be honored on the 100th anniversary of his treatise by encouraging teachers to include the book on reading assignments, and by embracing its truths and meeting the challenge to create a society devoid of racial prejudice.

Patron - Marsh

D SJ114 French and Indian War. Commemorates the 250th anniversary of the beginning of the French and Indian War and expresses support for commemorative activities of the Virginia French and Indian War 250 planning group centered at Shenandoah University and the French and Indian War 250, Inc.

Patron - Ticer

D SJ115 Recognizing and supporting members of the National Guard and Reserve. Expresses the General Assembly's support for the National Guard and Reserve by encouraging local governments and private employers to conduct awareness programs and by holding Military Appreciation Day and other ceremonies.

Patron - O'Brien

D SJ117 Greek Independence Day. Designates March 25, 2004, and in each succeeding year, as Greek Independence Day in Virginia.

Patron - Rerras

D SJ120 Courtesy Week. Designates the second week in February in 2004 and in each succeeding year, as National Courtesy Week in Virginia.

Patron - Houck

D SJ204 Commending Ruby Nell Bridges. Commends Ruby Nell Bridges, who as a kindergartner desegregated William Frantz Elementary School in New Orleans in 1960, following the United States Supreme Court decision in *Brown v. Board of Education*. At the age of six, Ms. Bridges had to be escorted by federal marshals to school each day through a mob of fierce segregationists who threatened her and retaliated against her family. On February 24, 2004, Ms. Bridges addressed the metropolitan Richmond community at St. Catherine's School during the school's observance of the 50th anniversary of *Brown v. Board of Education* to recount her experience during the ordeal and to promote racial unity, tolerance, respect, and appreciation of diversity.

Patron - Marsh

Failed

: **HJ112 "Welfare diet."** Encourages Virginia's legislators to go on a "welfare diet" for a two-week period to gain greater understanding of the dire circumstances of thousands of Virginia families.

Patron - Van Yahres

: **HJ116 Use of prison bed space; Secretary of Public Safety.** Encourages the Secretary of Public Safety to refrain from utilizing bed space within the Virginia Department of Corrections to house out-of-state prisoners.

Patron - Jones, D.C.

: **HJ130 Memorializing Free Trade Agreement.** Memorializes the President of the United States and the Congress of the United States to withdraw the United States from the North American Free Trade Agreement and the World Trade Organization, to refuse to ratify a Central American Free Trade Agreement, and to resist attempts to further liberalize American trade policy. This resolution is incorporated into HJR 290.

Patron - Dudley

: **HJ154 Health Literacy Month.** Designates October in 2004 and each year thereafter as Health Literacy Day in Virginia. The resolution calls on the Commissioner of Health, the Director of the Department of Health Professions, and the

presidents of the Medical Society of Virginia and the Old Dominion Medical Society to assist patients in comprehending essential medical information and instructions by providing such information orally in simplified language or in writing at a level commensurate with their educational levels and proficiency in the English language.

Patron - Baskerville

: **HJ179 Pledge of Allegiance.** Encourages the United States Supreme Court to uphold in *Elk Grove Unified School District v. Newdow* a public school district policy that requires teachers to allow willing students to recite the Pledge of Allegiance. The Supreme Court agreed to hear this case on October 14, 2003. This resolution is identical to HR 14.

Patron - Cole

: **HJ192 Congress to amend NCLB.** Memorializes Congress to amend the No Child Left Behind (NCLB) Act immediately to include a mechanism for an automatic waiver from its provisions for school accountability for states, such as Virginia, that have successfully raised student achievement through their own standards and accountability reforms, and that this waiver be available to states so long as they maintain these proven standards and accountability programs.

Patron - Landes

: **HJ248 Woodlawn Road.** Memorializes Congress to restore public access to Woodlawn Road. This resolution is identical to SJR 97.

Patron - Amundson

: **HJ285 Memorializing Congress; public expressions of religious faith.** Memorializes the Congress of the United States to continue to preserve Virginia's sovereignty related to public expressions of religious faith in the Commonwealth.

Patron - Black

: **HJ286 Burial allowance for veterans.** Memorializes the Congress of the United States to increase the federal burial allowance for veterans to at least \$750.

Patron - Pollard

: **HJ289 Women in History Month.** Designates March, in 2004 and in each succeeding year, as Women in History Month in Virginia.

Patron - Baskerville

: **HJ290 Memorializing Congress.** Memorializes the Congress of the United States to oppose ratification of the Free Trade Area of the Americas Agreement.

Patron - Armstrong

: **SJ40 Central American Free Trade Agreement.** Memorializes the President of the United States and the Congress of the United States to reject the Central American Free Trade Agreement and to withdraw the United States from the North American Free Trade Agreement and similar free trade agreements.

Patron - Reynolds

: **SJ55 Naming athletic field at Mountain View School.** Encourages the Fairfax County School Board and the Fairfax County Board of Supervisors to name the athletic field at Mountain View School the Jacob Salter Field.

Patron - O'Brien

: **SJ69 Memorializing Congress on financial needs of WMATA.** Memorializes Congress to make a renewed com-

mitment to adequately fund the Washington Metropolitan Area Transit Authority.

Patron - Whipple

: **SJ96 Confederate History and Heritage Month.** Designates the month of April, in 2004 and in each succeeding year, as Confederate History and Heritage Month in Virginia.

Patron - Hawkins

: **SJ97 Woodlawn Road.** Memorializes Congress to restore public access to Woodlawn Road. This resolution is identical to HJR 248.

Patron - Puller

: **HR15 Safe and Free.** A resolution defending the civil liberties and civil rights of all individuals living in the Commonwealth of Virginia.

Patron - Welch

: **HR16 Memorializing the Federal Communications Commission regarding broadcast standards.** Memorializes the Federal Communications Commission to enforce its standards governing broadcasts over the public airwaves. The resolution also expresses the indignation of the General Assembly regarding violations of FCC standards during family hour, particularly violations of the standards during the 2004 Super Bowl halftime show and certain MTV rebroadcasts.

Patron - Pollard

Carried Over

7 HJ159 Designating June 20, 2004 as Delegate Roland J. "Duke" Ealey Day. Designates June 20, 2004, and in each succeeding year, as Delegate Roland J. Ealey Day in Virginia. This resolution requests that the late Delegate Ealey, former member of the Virginia House of Delegates, be honored and remembered for service and contributions to the Commonwealth. This resolution is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission's Steering Committee on the 50th Anniversary of *Brown v. Board of Education*.

Patron - Baskerville

7 HJ199 Prescription drugs from Canada. Memorializes the United States Congress to remove current restrictions on the purchasing of prescription drugs from Canada.

Patron - Armstrong

Miscellaneous (Including Budget and Bonds)

Passed

D HB29 Budget bill. Amends Appropriations Act of 2003, Chapter 1042.

Patron - Callahan

D HB31 Bond bill; Commonwealth of Virginia Higher Educational Institutions Bond Bill of 2004. Authorizes the issuance of 9 (c) bonds in a principal amount not to exceed \$255,316,600 for the financing of revenue-producing capital projects at institutions of higher education in the Commonwealth. Of the total amount of bonds authorized, \$137,700,600 is allocated for previously authorized projects

and \$117,616,000 is allocated for new projects. This bill is identical to SB 31.

Patron - Callahan

D HB32 Commonwealth of Virginia Parking Facilities Bond Bill of 2004. Authorizes the issuance of 9 (c) bonds in a principal amount not to exceed \$5,700,000 for acquisition of the Virginia Retirement System parking deck. This bill is identical to SB 32.

Patron - Callahan

D HB106 Bonds; Virginia Public Building Authority. Authorizes the Virginia Public Building Authority to issue bonds in the amount of \$159,300,000 to finance the undertaking, development, acquisition and construction of the first phase of the State Agency Radio System (STARS).

Patron - Sherwood

D HB848 Claims; Julius Earl Ruffin. Provides relief for Julius Earl Ruffin who was incarcerated between 1982 and 2003 for a crime that scientific evidence later revealed he did not commit. Governor Warner granted him an absolute pardon on March 19, 2003. Under the bill, the Commonwealth will provide a lump-sum payment to Mr. Ruffin of \$325,000 to be paid by August 1, 2004, and an annuity for the primary benefit of Mr. Ruffin providing for equal monthly payments for a period certain of 30 years commencing on September 1, 2004, in the cumulative amount of \$900,000. The bill provides that the annuity shall provide that it shall not be sold, discounted, or used as securitization for loans and mortgages, but shall contain beneficiary provisions providing for the annuity's continued disbursement in the event of the death of Mr. Ruffin to his children and his spouse. The bill also provides that Mr. Ruffin shall be entitled, until 2009, to receive career and technical training within the Virginia community college system free of tuition charges, up to a maximum of \$10,000. This bill is identical to SB 234.

Patron - Jones, S.C.

D HB949 Property conveyance; subaqueous lands to City of Norfolk. Authorizes the Governor to convey certain subaqueous lands in the Elizabeth River at Norfolk to the City of Norfolk. The bill provides that such conveyance shall be made in a form approved by the Attorney General and that the appropriate officials of the Commonwealth are authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

Patron - Howell, A.T.

D HB1261 Property conveyance; certain real property to City of Petersburg. Authorizes the Virginia Employment Commission to convey certain real property located at 10 North Jefferson Street in the City of Petersburg to the City of Petersburg. The bill provides that such conveyance shall be approved by the Governor and made in a form approved by the Attorney General and that the appropriate officials of the Commonwealth are authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

Patron - Bland

D HR2 2004-2006 Budget Bill. Requests the Governors of the Commonwealth to submit a Budget Bill utilizing existing fiscal resources without incorporating a general tax increase.

Patron - Marshall, R.G.

D SB31 Bond bill, Commonwealth of Virginia Higher Educational Institutions Bond Bill of 2004. Authorizes the issuance of 9 (c) bonds in a principal amount not to

exceed \$255,316,600 for the financing of revenue-producing capital projects at institutions of higher education in the Commonwealth. Of the total amount of bonds authorized, \$137,700,600 is allocated for previously authorized projects and \$117,616,000 is allocated for new projects. This bill is identical to HB 31.

Patron - Chichester

D SB32 Commonwealth of Virginia Parking Facilities Bond Bill of 2004. Authorizes the issuance of 9 (c) bonds in a principal amount not to exceed \$5,700,000 for acquisition of the Virginia Retirement System parking deck. This bill is identical to HB 32.

Patron - Chichester

D SB39 Bonds; Virginia Public Building Authority. Authorizes the Virginia Public Building Authority to issue bonds in the amount not to exceed \$159,300,000 to finance the undertaking, development, acquisition and construction of the first phase of the Statewide Agencies Radio System (STARS) and several public safety related projects.

Patron - Stolle

D SB234 Claims; Julius Earl Ruffin. Provides relief for Julius Earl Ruffin who was incarcerated between 1982 and 2003 for a crime that scientific evidence later revealed he did not commit. Governor Warner granted him an absolute pardon on March 19, 2003. Under the bill, the Commonwealth will provide a lump-sum payment to Mr. Ruffin of \$325,000 to be paid by August 1, 2004, and an annuity for the primary benefit of Mr. Ruffin providing for equal monthly payments for a period certain of 30 years commencing on September 1, 2004, in the cumulative amount of \$900,000. The bill provides that the annuity shall provide that it shall not be sold, discounted, or used as securitization for loans and mortgages, but shall contain beneficiary provisions providing for the annuity's continued disbursement in the event of the death of Mr. Ruffin to his children and his spouse. The bill also provides that Mr. Ruffin shall be entitled, until 2009, to receive career and technical training within the Virginia community college system free of tuition charges, up to a maximum of \$10,000. This bill is identical to HB 848.

Patron - Lambert

D SB602 Chamberlin Hotel. Gives the consent of the Commonwealth for the extension of the lease for the operation of the Chamberlin Hotel at Fort Monroe for 50 years and expands the approved uses to include a senior housing facility with an assisted living component and an adjoining parking garage. The bill also includes an emergency provision.

Patron - Williams

D SB623 Awards service handgun to widow of Anthony Daryl Campbell. Awards the service handgun of Virginia State Trooper Anthony Daryl Campbell to his widow.

Patron - Rerras

D SB654 Hampton Roads Sanitation District. Adds King and Queen County and makes numerous other changes to the enabling act of the Hampton Roads Sanitation District.

Patron - Norment

D SJ65 Colonial Founders Day. Designates May 14, 2004, and in each succeeding year, as Colonial Founders Day in Virginia. May 14 signifies the date of the disembarking of the passengers who founded Jamestown.

Patron - Wagner

Failed

: **HB30 Budget Bill.** Makes appropriations for the 2004-06 biennium.

Patron - Callahan

: **HB93 Virginia Public Building Authority and Virginia College Building Authority.** Authorizes the Virginia Public Building Authority and the Virginia College Building Authority to issue bonds in principal amounts not to exceed \$56,457,000 and \$216,865,538 to fund and construct specific capital projects throughout the Commonwealth.

Patron - Callahan

: **HB488 Relief; Andrew Patrick Kidder.** Provides relief to Andrew Patrick Kidder by directing the Birth-Related Neurological Injury Compensation Program to (i) admit him into the Program and provide continued benefits under the Program and (ii) provide reimbursement of expenses incurred by Andrew's parents in caring for Andrew since 1990 that would have been covered by the program pursuant to § 38.2-5009, provided that no expense shall be reimbursed by the Program if it has been reimbursed from another source.

Patron - Tata

: **HB1071 U.S. Route 58 Commonwealth of Virginia Transportation Revenue Bonds.** Increases the maximum principal amount of the Transportation Revenue Bonds for the U.S. Route 58 Corridor Development Program ("Program") by \$300 million, from \$704.3 million to \$1.0043 billion. The proceeds from the issuance of this additional \$300 million are to be used to complete that portion of the Program from the Stuart By-Pass to Interstate 77.

Patron - Armstrong

: **SB29 Budget bill.** Amends Appropriations Act of 2003, Chapter 1042.

Patron - Chichester

: **SB30 Budget Bill.** Makes appropriations for the 2004-06 biennium.

Patron - Chichester

: **SB37 Virginia Public Building Authority and Virginia College Building Authority.** Authorizes the Virginia Public Building Authority and the Virginia College Building Authority to issue bonds in principal amounts not to exceed \$56,457,000 and \$216,865,538 to fund and construct specific capital projects throughout the Commonwealth.

Patron - Chichester

: **SB191 Claims; Larry and Virginia Mitchell.** Provides \$5,000 in relief to Larry and Virginia Mitchell. The Mitchells suffered \$5,000 in losses from damage to their corn crop caused by a bear or bears. The Mitchells assert that the bear or bears that destroyed part of their corn crop was released by the Department of Game and Inland Fisheries.

Patron - Reynolds

: **SB256 Claims; Marshall and Allison Lineberry.** Provides relief for Marshall and Allison Lineberry, consisting of a lump-sum payment of \$200,000 to be paid by August 1, 2004. Mr. and Mrs. Lineberry purchased a house without a certificate of occupancy and now are unable to sell the house without such a certificate. A permanent certificate of occupancy was never issued for the house due to serious structural defects. In order to receive a certificate of occupancy, the house must be demolished and rebuilt.

Patron - Puckett

: **SB410 Claims; Sharon Dalton.** Provides \$69,820 in relief for Sharon Dalton. Mrs. Dalton was injured in December 1996 while performing her work duties for the Department of Alcohol Beverage Control when a stack of liquor cases fell on her head and neck, injuring her neck. This relief is for lost wages from February 2000. The Workers' Compensation Commission denied Mrs. Dalton's claim for part of the period in question; however, Mrs. Dalton questions the sufficiency of the evidence relied upon by the Commission in deciding to deny her claim.

Patron - Ruff

: **SB531 Commonwealth of Virginia Parks and Natural Areas Bond Act of 2002; issuance of bonds.** Places a one-year moratorium on the issuance of bonds authorized under the Commonwealth of Virginia Parks and Natural Areas Bond Act of 2002. The Treasury Board shall not issue any bonds authorized under the Act, with the exception of refunding instruments, in the period beginning July 1, 2004, and ending June 30, 2005.

Patron - Hanger

: **SB532 Commonwealth of Virginia Educational Facilities Bond Act of 2002; issuance of bonds.** Places a one-year moratorium on the issuance of bonds authorized under the Commonwealth of Virginia Educational Facilities Bond Act of 2002. The Treasury Board shall not issue any bonds authorized under the Act, with the exception of refunding instruments, in the period beginning July 1, 2004, and ending June 30, 2005.

Patron - Hanger

: **SB568 Claims; Sean and Jennie Barrett.** Provides relief for Sean and Jennie Barrett, consisting of a lump-sum payment of \$11,821 to be paid by August 1, 2004. Mr. and Mrs. Barrett purchased a house and six-acre parcel that contained a malfunctioning septic system in 1998. The presence of the malfunctioning septic system was not revealed to them prior to purchase. Although Mr. and Mrs. Barrett obtained an out-of-court settlement with the seller's real estate agent regarding the failure to disclose the malfunctioning septic system, events related to the erroneous issuance of a sewage disposal construction permit in 1988 also contributed to the situation faced by Mr. and Mrs. Barrett. The Caroline County Department of Health, which is an agency of the Virginia Department of Health, issued a sewage disposal construction permit in 1988. The physical inspection prior to the issuance of this permit was conducted not on the six-acre parcel, but on an adjoining 10-acre parcel. Based upon the inspection of the 10-acre parcel, a sewage disposal construction permit was issued for the six-acre parcel. It is unclear how the permit inspection for the 10-acre parcel resulted in the issuance of a permit for the six-acre parcel.

Patron - Bolling

Carried Over

7 SB358 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

7 SB572 Claims; Beverly Anne Monroe. Provides relief for Beverly Anne Monroe who was incarcerated between 1992 and 2002. A panel of the United States Court of Appeals for the Fourth Circuit ruled that Ms. Monroe's 1992 trial was flawed because of the prosecution's failure to disclose exculpatory evidence and granted her a new trial. The Commonwealth's Attorney for Powhatan County decided not to retry Ms. Monroe. Under the bill, the Commonwealth will provide a lump-sum payment to Ms. Monroe of \$400,000 to be paid by August 1, 2004, and \$1,237,000 through an annuity to be paid in equal monthly payments for 20 years commencing on or before September 1, 2004.

Patron - Lambert

7 SB686 Establishing the ownership and management relationship of the sailing vessel Virginia. Authorizes the Governor to enter into an agreement with the Virginia Maritime Heritage Foundation for the operation of the sailing vessel Virginia. Under the bill, ownership of the Virginia is transferred to the Commonwealth; however, the operation and maintenance of the Virginia is the responsibility of the Foundation. The bill sets out the minimum requirements of the agreement and that the Virginia is to be used for trade missions, marketing, economic development, film production, festivals and other events.

Patron - Rerras

Study Resolutions

Passed

D HJ6 Virginia Public Records Act. Creates a joint subcommittee to study the Virginia Public Records Act, electronic records, and their effect on the state depository system. In conducting its study, the joint subcommittee shall examine the Virginia Public Records Act and the extension of its scope to (i) provide and assign authority to establish and maintain guidelines or regulations for the creation, transfer, and archival preservation of electronic state records and publications; (ii) provide and assign authority to establish and maintain procedures for the official authentication of e-records and documents; and (iii) establish a means to identify, describe, receive, and manage discrete electronic government information products covered by copyright. This resolution is a recommendation of the Joint Subcommittee to Study the Operations, Practices, Duties, and Funding of the Commonwealth's Agencies, Boards, Commissions, Councils, and Other Governmental Entities pursuant to HJR 159 (2002). This resolution is identical to SJR 1.

Patron - Cox

D HJ13 Two-term Governor. Establishes a joint subcommittee to study the appropriate balance of power between the legislative and executive branches to support a two-term Governor. The joint subcommittee shall (i) examine the history of the Governor's power in the Commonwealth; (ii) compare the powers of the governors of other states; (iii) determine the balance of power established between the executive and legislative branches in other states, particularly in those states that transitioned from a one-term governor to a two-term governor; and (iv) consider constitutional and statutory options for the equitable distribution of power between the legislature and

executive branch to support a two-term Governor in the Commonwealth.

Patron - Landes

D HJ34 Virginia Retirement System. Creates a joint legislative subcommittee to study the Virginia Retirement System and benefits for public safety officers who are injured in the line of duty. In conducting its study, the joint subcommittee shall (i) examine the current benefit structure of the Virginia Retirement System; (ii) review matters relating to funding, including amortization schedules, level and adequacy of funded ratios, and blending of contribution rates between and among retirement systems; (iii) make recommendations to improve the Virginia Retirement System; (iv) examine existing Virginia benefits and those provided by other states and the federal government to public safety officers who suffer severe and permanent disabilities as a result of catastrophic personal injuries incurred in the line of duty; and (v) consider such other related matters as the joint subcommittee deems appropriate.

Patron - Putney

D HJ71 Individuals with limited English proficiency; access to information and services. Requests the Secretary of Health and Human Resources to develop a plan for increasing awareness of the requirements to provide meaningful access to information and services in the Health and Human Resources Secretariat for Virginia's limited English speaking residents who are lawfully in the United States. The Secretary is also requested to identify, prioritize and estimate the costs of translating significant information and documents used by agencies and service providers within the Secretariat.

Patron - Cox

D HJ72 Virginia's nutrient management plans. Directs the Joint Legislative and Review Commission to study the effectiveness of the implementation, performance, and enforcement of Virginia's nutrient management plans. The Commission must also make recommendations concerning improvements to nonpoint source pollution that comply with the nutrient management program.

Patron - Cox

D HJ79 Mistaken identity. Directs the Virginia State Crime Commission to study mistaken identification in criminal cases. The commission shall (i) review the cases in the United States in which DNA profiling was used to exonerate persons convicted of a crime; (ii) examine the procedures used in traditional police lineups or photographic review; and (iii) consider the sequential method as a procedure for identifying suspects.

Patron - Purkey

D HJ82 Nonstate cultural institutions. Requests the Department of Taxation to collect sales tax data concerning the economic impact of nonstate cultural institutions on the Commonwealth. The Department of Taxation must compile sales tax collections for businesses in the immediate vicinity of nonstate agency cultural institutions located in the cities of Norfolk, Lynchburg, Richmond, and Roanoke, and in the County of Fairfax that received more than \$50,000 in state funds in a single year within the last five years.

Patron - Fralin

D HJ103 Impact of aging population on the demand for and cost of state agency services. Directs the Joint Legislative Audit and Review Commission to study the impact of Virginia's aging population on the demand for and cost of state agency services, policies and program management. In conducting its study, the Joint Legislative Audit and Review Commission shall consult with the Commonwealth Council on Aging, the Commissioners of the Departments of

Health, Social Services, and Mental Health, Mental Retardation and Substance Abuse Services, and the Director of the Virginia Retirement System, Department for the Aging, Department of Medical Assistance Services, Department of Corrections, and Department of Human Resources Management.

Patron - Reid

D HJ105 Commonwealth's assistance to localities for developing adequate K-12 school infrastructure. Creates a joint subcommittee to study the level of the Commonwealth's assistance to localities that is necessary for developing adequate K-12 schools infrastructure. The joint subcommittee shall consider the physical and technical structure needs of K-12 schools throughout the Commonwealth and various options for funding those needs.

Patron - Drake

D HJ114 Proposed child-care regulations. Directs the Joint Legislative Audit and Review Commission to study the potential impact of the amended 22 VAC 15-30, Standards for Licensed Child Day Care Centers, on providers, parents, and children. The commission shall submit a report no later than September 15, 2004. The Governor is requested to consider the results of the study prior to his approval of the regulation. This resolution is identical to SJR 80.

Patron - Marrs

D HJ120 Nanotechnology. Directs the Joint Commission on Technology and Science to identify nanotechnology research and economic development opportunities for the Commonwealth. The Commission shall consider the efficacy of creating a statewide, comprehensive and coordinated strategy to secure additional federal research and development funds and to boost commercial activity in this fast-emerging sector.

Patron - May

D HJ124 Continuing Commission on Educational Leadership. Continues for one year the 21-member Commission to Review, Study, and Reform Educational Leadership (initially created in 2002 (HJR 20; SJR 58)) to (i) receive reports and information regarding Board of Education recommendations regarding alternative licensure routes and a two-tiered licensure system; and (ii) examine such other issues as it deems appropriate.

Patron - Hamilton

D HJ125 Template for a statewide articulation agreement. Requests the Board of Education, the State Board for Community Colleges, and the State Council of Higher Education for Virginia to develop a template for a statewide articulation agreement for career and technical education. The resolution notes that articulation agreements can provide a seamless pathway for students to progress from high school to community college for completion of industry certifications and state licensure requirements and, for certain students, to enrollment in four-year institutions of higher education. Because an educated workforce is the only way to maintain the economic base of the Commonwealth, the Advisory Council on Career and Technical Education recommends that all levels of public education cooperate in the development of a template for articulation agreements in order to facilitate students' movement through a K-16 system that allows smooth transitions between high school, community college, and four-year institutions of higher education. The template will be developed by a taskforce of staffers and stakeholders that will identify obstacles and issues, including any issues relating to credentialing of teachers and how credits can be transferred from one high school to another, from any high school to any

community college, and from any community college to the public four-year institutions of higher education. The taskforce is also directed to develop a template that provides for flexibility for school divisions, community colleges, and four-year institutions of higher education, taking into account the various curricula that are offered in the many schools, colleges, and universities, and the local economic and other conditions. The template is to include some standardization of credit transfers, provide options for the various corners of the Commonwealth that are tailored to match the capabilities of the educational agencies in local areas while offering opportunities for improvement in cooperation and collaboration between and among the various levels of educations, a list of programs and courses that are articulated, the identity of the agencies that are articulated for each program or course, the tuition charges for the various classes at the different levels, information on limitations on enrollment in the various programs or classes, and the effect, if any, on tuition charges of articulation agreements in the community colleges and four-year institutions of higher education.

Patron - Hamilton

D HJ133 Prehospital emergency medical services in Virginia. Directs the Joint Legislative Audit and Review Commission to study prehospital emergency medical services in Virginia. In conducting its study, the Commission shall (i) conduct a comprehensive review and assessment of emergency care services in Virginia; (ii) ascertain the average Medicaid and Medicare reimbursement rates in the Commonwealth, and compare such rates to the national average; (iii) identify emerging issues and problems in prehospital emergency medical services in the Commonwealth and make recommendations to address them; (iv) review the findings and recommendations of previous legislative studies pertaining to emergency medical services to determine their relevancy today; (v) evaluate the need for a Department of Emergency Medical Services; (vi) review relevant state and federal laws and regulations pertaining to emergency medical services, patient privacy, security and emergency preparedness; (vii) consider issues pertaining to medical liability insurance, health care insurance, health care costs, funding for emergency medical care, third-party reimbursement, and indigent care and their effect on a quality and efficient emergency medical care services system in the Commonwealth; and (viii) consider such other related issues as the Commission may deem appropriate and necessary.

Patron - O'Bannon

D HJ134 Disclosure of health records. Directs the Joint Commission on Health Care to study the use and disclosure of health records relative to Virginia law and the federal Health Insurance Portability and Accountability Act (HIPAA). The Commission shall consider the need for amendments to Virginia laws and recommend ways to assist health care providers and other relevant parties to understand and comply with state and federal health record privacy laws.

Patron - O'Bannon

D HJ142 Consolidation of the Cities of Norfolk and Portsmouth. Establishes a joint subcommittee to study the feasibility of the consolidation of the Cities of Norfolk and Portsmouth. In conducting its study, the joint subcommittee shall (i) review other models whereby localities were consolidated into a single city that operates under the strong mayor/council form of government; (ii) determine whether such a system, with a directly elected mayor, would be feasible in the two cities, to be phased in over a period of 10 to 20 years; (iii) examine the feasibility of permitting the consolidation of a particular city only upon a favorable vote by referendum in each such city; (iv) examine the feasibility of allowing the constitutional officers of each of the consolidating cities to retain their

individual positions during an interim period of time or until the retirement of such an officer; and (v) explore an efficient method of eventually transferring the duties of such constitutional officers to a single office for the consolidated city. Other issues to be examined by the joint subcommittee shall include (i) whether an amendment to the Constitution of Virginia will be required in order to implement a proposed consolidation; (ii) the means by which utility systems within the consolidating cities may be efficiently combined or coordinated so as to provide cost-effective and uninterrupted service to the region; (iii) the feasibility of phasing in a consolidated school system under the leadership of a single school board with each city being a separate school district; (iv) the feasibility of providing for oversight by an outside entity of new local debt of the consolidating cities during the transition period between the time of voter approval of the consolidation and the actual consolidation; and (v) the method by which the individual debts and obligations of the consolidating cities shall become the debts and obligations of the consolidated city.

Patron - Joannou

D HJ152 Housing issues. Directs the Virginia Housing Study Commission, with the assistance of the Virginia Housing Development Authority and the Virginia Department of Housing and Community Development, to continue its study of certain housing-related issues, including the development of a statewide housing policy for the Commonwealth.

Patron - Drake

D HJ153 Underground utility distribution lines. Requests the State Corporation Commission to study the placement of utility lines underground. The State Corporation Commission is required to study the feasibility of placing underground the currently existing overhead utility distribution lines and any new distribution lines, the costs that would be incurred, and the options for funding such underground placement.

Patron - Drake

D HJ162 "Smart" driver's licenses. Establishes a joint subcommittee to study the desirability and feasibility of issuing driver's licenses and identification cards containing an embedded computer chip that stores biometric and other personal data.

Patron - Byron

D HJ163 Transportation in Reston. Requests the Secretary of Transportation, the Commonwealth Transportation Board, the Department of Transportation, the Department of Rail and Public Transportation, the County of Fairfax, Washington Metropolitan Area Transit Authority, LINK, the Dulles Corridor Rail Association, the Dulles Corridor Task Force, local elected officials, and Reston community and business leaders to continue their work to ensure that a coordinated transportation plan is implemented for the Reston community.

Patron - Plum

D HJ164 Adequacy of Virginia's infant screening program for metabolic disorders. Directs the Joint Commission on Health Care to collect information pertaining to infant screening program for metabolic disorders. The Commission shall compile a list of the (i) types of metabolic disorders for which infants are screened in other states, including a summary of the benefits of such screening; and (ii) the costs of such screening programs.

Patron - Plum

D HJ170 Commission on Growth and Economic Development. Continues the Commission for one additional year and requires the Commission to review conditional zoning

and its effect on residential housing patterns and the cost of housing in the Commonwealth. This resolution incorporates HJR 227 (2004).

Patron - Hall

D HJ172 Income tax and sales and use tax. Directs the Joint Legislative Audit and Review Commission to collect information from other states and countries that have replaced income tax revenues with sales and use tax revenues.

Patron - Lingamfelter

D HJ174 Certification process for voting equipment and matters related to the performance and proper deployment of voting equipment. Creates a joint subcommittee to evaluate the Commonwealth's procedures and processes for evaluating, certifying, and handling voting equipment. The resolution provides for background information from the State Board of Elections on the source codes for direct electronic voting devices and on the undervote experience in 2003 compared to past years.

Patron - Hugo

D HJ176 Remote sales tax collection. Creates a joint subcommittee to study the impact of collecting remote sales taxes on the economy of the Commonwealth, including the impact on revenue and small businesses. In conducting its study, the joint subcommittee shall determine the amount of revenue the Commonwealth would generate and the impact on small businesses within the Commonwealth if the Commonwealth collected taxes on remote sales; and the ability to use the lack of a requirement to collect remote sales as a marketing tool.

Patron - Hugo

D HJ183 The use and financing of trauma centers in the Commonwealth's hospitals. Requires the Joint Legislative Audit and Review Commission to study use and financing of Virginia's designated trauma centers. In conducting its study, the Joint Legislative Audit and Review Commission must (i) examine utilization trends vis-a-vis number of patients served and kind of services delivered; (ii) compare Virginia's utilization trends to national utilization trends; (iii) assess the demographics of patients requiring trauma center services in Virginia; (iv) conduct an insurance profile of the patients requiring these services in Virginia and, in so far as possible, the nation; (v) analyze the financial costs and benefits to hospitals of being designated a trauma center, including any public relations or other "good will" benefit from being known as a trauma center; and (vi) determine any steps that can be taken to maintain appropriate and necessary trauma services in Virginia's hospitals. This resolution incorporates HJR 115.

Patron - McDonnell

D HJ185 U.S. Route 460 Communications Committee. Extends for two years the Committee's mandate to receive and disseminate communications between the Virginia Department of Transportation and persons and entities affected by the prompt completion and success at all phases and aspects of the planning, designing, constructing, and financing of the U. S. Route 460 Improvement Projects. This resolution incorporates HJR 166.

Patron - McDonnell

D HJ186 Conflicts of interests and lobbyist disclosure forms. Creates a legislative joint subcommittee to review the adequacy of the disclosure forms, study the use of a uniform conflicts of interests disclosure form, and examine the feasibility and costs of providing information from the forms on the Internet.

Patron - McDonnell

D HJ193 Department of Social Services by the Joint Legislative Audit and Review Commission. Directs the Joint Legislative Audit and Review Commission (JLARC) to conduct a two-year study of the mission and effectiveness of the organization, operation, and performance of the Department of Social Services. In conducting the study, JLARC shall assess the effectiveness of the social services system as measured by (i) changes in customer self-sufficiency; (ii) the delivery of effective prevention and early intervention services; (iii) the availability of necessary resources to ensure the delivery of quality services in a timely manner; and (iv) the adequacy and effectiveness of information systems, such as the Application Benefit Delivery Automation Project (ADAPT), including the effective coordination of services by the Departments of Social Services, Medical Assistance Services, and Juvenile Justice. The Joint Legislative Audit and Review Commission shall make recommendations based upon the findings of the study to improve the Department's performance for each of these measures.

Patron - Landes

D HJ195 Community health workers. Requests James Madison University to study the status, impact, and utilization of community health workers. Community health workers are trained lay persons who, as trusted members of their communities, serve as health resource persons where they live and work, implementing culturally appropriate health education and outreach among groups that have traditionally lacked adequate health care. The University shall (i) inventory the number, roles, and training of all community health workers employed in the Commonwealth and explore a standard designation for such workers; (ii) identify and review outcome studies and evaluations on the efficacy of community health workers; (iii) determine ways to elevate the role of community health workers in the health care delivery system and to integrate more effectively such workers in public agencies; (iv) examine the potential use of community health workers as part of a best-practice quality measure for Medicaid and other contracted providers; (v) explore the development of a statewide core curriculum that would be used for the training of publicly employed community health workers and be available for volunteer workers; and (vi) recommend any other steps to maximize the value and utilization of community health workers. This resolution is identical to SJR 19.

Patron - Landes

D HJ197 Establishing a public four-year institution in South Central Virginia. Requests the State Council of Higher Education to consider the establishment of a public four-year degree granting institution of higher education in South Central Virginia in developing its systemwide needs assessment plan for higher education in the Commonwealth. The institution must strengthen and support existing public and private institutions of higher education in the South Central Virginia region. In its deliberations to develop the plan, the Council shall (i) solicit the participation of and collaborate with all interested parties, and (ii) evaluate all available options, including, but not limited to, the creation of a branch campus of an existing institution in the South Central Virginia region. This resolution is identical to SJR 86.

Patron - Armstrong

D HJ225 Commonwealth's Attorneys. Directs the Crime Commission to conduct a statewide study of the operations of the offices of the Commonwealth's Attorneys. The Commission shall study the quality of prosecutorial representation and the efficiency by which prosecutorial services are provided. The study of prosecutorial representation shall examine the impact, if any, of the existing workloads in the Common-

wealth's Attorneys' offices, any disparity in workload per attorney, training and technical support for Commonwealth's Attorneys versus judicial and criminal justice system agencies, opportunities for continuing legal education specifically geared towards career prosecutors, and the Commonwealth's Attorneys' ability to hire and retain qualified prosecutors in their offices.

Patron - McDonnell

D HR18 Child Day Care Regulations. Requests the Child Day Care Council to review the impact of proposed revisions to the Minimum Standards for Licensed Child Day Centers on providers and families, and to defer the implementation of the provisions of such revised regulations pertaining to staff-to-child ratios, educational requirements, square footage, and group size until July 1, 2005. The Child Day Care Council must submit an executive summary and report of its progress in meeting the requests of this resolution no later than the first day of the 2005 Regular Session of the General Assembly.

D SJ19 Community health workers. Requests James Madison University to study the status, impact, and utilization of community health workers. Community health workers are trained lay persons who, as trusted members of their communities, serve as health resource persons where they live and work, implementing culturally appropriate health education and outreach among groups that have traditionally lacked adequate health care. The University shall (i) inventory the number, roles, and training of all community health workers employed in the Commonwealth and explore a standard designation for such workers; (ii) identify and review outcome studies and evaluations on the efficacy of community health workers; (iii) determine ways to elevate the role of community health workers in the health care delivery system and to integrate more effectively such workers in public agencies; (iv) examine the potential use of community health workers as part of a best-practice quality measure for Medicaid and other contracted providers; (v) explore the development of a statewide core curriculum that would be used for the training of publicly employed community health workers and be available for volunteer workers; and (vi) recommend any other steps to maximize the value and utilization of community health workers. This resolution is identical to HJR 195. The University must report its findings and recommendations to the 2005 Session of the General Assembly.

Patron - Howell

D SJ24 Access to and costs of oral health care. Establishes a joint subcommittee to study access to and the costs of oral health care. In conducting its study, the joint subcommittee shall (i) ascertain the state of oral health in Virginia; (ii) identify and evaluate oral health care needs by demographic characteristics in the Commonwealth; (iii) determine the number of persons without adequate or any dental insurance; (iv) determine the number of dental visits each year by age, gender, services rendered, and costs of services; and (v) recommend strategies to promote and increase good oral health in the Commonwealth, including, but not limited to, issues relating to access to oral care by poor, low-income, and minority persons, and ways to provide affordable oral health care for all persons. The joint subcommittee must submit an executive summary of its findings and recommendations to the 2005 Session of the General Assembly.

Patron - Marsh

D SJ25 Mental health needs and treatment of young minority adults in the Commonwealth. Directs the Joint Commission on Health Care to study the mental health

needs and treatment of young minority adults in the Commonwealth. In conducting its study, the Joint Commission on Health Care shall, to the extent possible, (i) estimate the number of mentally disabled young adults by gender, age, and racial and ethnic classification, in the geographical regions of the Commonwealth; (ii) identify the prevailing mental health and emotional disorders and their etiology among minority young adults; (iii) identify the mental health needs of minority citizens, particularly minority young adults in Virginia; (iv) determine the number of racial and ethnic minority persons who receive mental health treatment each year and the facilities providing such care; (v) determine whether mental health care providers are trained to provide culturally competent mental health treatment; (vi) assess the need for culturally competent mental health treatment in Virginia; (vii) review federal and state laws and regulations governing the confidentiality of health care, mental health treatment, and medical records and identify the conditions and the extent to which medical records information may be disclosed to parents and family members to assist them in obtaining health, social services, and mental health treatment for mentally disabled young adults; (viii) recommend ways and alternatives, within the law, to provide parents and family members of mentally disabled young adults the ability to obtain needed health, social services, and mental health treatment for such persons without involuntary commitment; and (ix) consider such other related matters as the Commission may determine necessary to address the objectives of this resolution. The Commission must report its findings and recommendations to the 2005 Session of the General Assembly.

Patron - Marsh

D SJ38 Local firearms hunting ordinances. Requests the Department of Game and Inland Fisheries to study local firearms hunting ordinances. The study is to examine how these ordinances can be made more uniform throughout the State. The Department shall submit a report its findings and recommendations to the 2005 Session of the General Assembly.

Patron - Stolle

D SJ43 Lead-poisoning prevention. Continues the Joint Subcommittee Studying Lead-Poisoning Prevention to (i) work with the Lead-Safe Virginia program within the Department of Health, in all ways feasible, to maintain and increase federal support for Virginia's lead-poisoning prevention efforts; (ii) cooperate with the Department of Housing and Community Development, in all ways feasible, to assist with its housing grant; (iii) pursue the development of a metadata clearinghouse by the Virginia Information Technologies Agency of the databases and data repositories within the Secretariat of Health and Human Resources, upon approval of appropriate legislation; (iv) examine any issues relating to the blood-lead testing protocol as needed; (v) assess any housing issues that may arise in the coming year; (vi) seek the establishment of a collaborative approach to blood-lead testing issues between the Division of Consolidated Laboratories, the Department of Health, and the Department of Medical Assistance Services; (vii) seek input from nurses, pediatricians, nurse practitioners, physician assistants, and various state agency personnel concerning the potential benefits or drawbacks of delegating certain screening and testing to registered nurses; and (viii) continue to act as a coordinating influence on state efforts to prevent lead poisoning. To assist the joint subcommittee in its work (a) the Secretary of Health and Human Resources is requested to establish a task force to examine issues relating to the delegation of screening and testing to registered nurses, pursuant to the Medicaid Early and Periodic Screening Diagnosis and Treatment (EPSDT) program; and (b) the Division of Consolidated Laboratory Services and the Sec-

retary of Health and Human Resources are requested to establish a task force to facilitate communication and cooperation of blood-lead testing issues. The joint subcommittee must submit an executive summary of its findings and recommendations, including a summary of the presentations to the joint subcommittee by the Secretary of Health and Human Resources and the Division of Consolidated Laboratory Services, to the 2005 Session of the General Assembly.

Patron - Lambert

D SJ57 Horse industry. Requests the Department of Agriculture and Consumer Services to study ways to enhance the economic development of Virginia's horse industry. The Commissioner of Agriculture and Consumer Services is required to create a task force composed of representatives of industry groups to assist the Department in its study. The Department's study may include, among other issues, an examination of the use tax, the application of sales tax on horses sold in Virginia to determine whether the breeding animal exemption should be expanded, zoning issues, the extent to which horses or horsemeat are exported to foreign markets for human consumption and the laws governing this practice, the impact of the loss of state funding on the Virginia Horse Center and the Virginia Horse Breeder Incentive Program, and the need for a state natural disaster plan, including the education and training of horse owners regarding preparation for disasters.

Patron - Hawkins

D SJ58 Benefits of public-private partnerships to Medicaid recipients. Directs the Joint Commission on Health Care to study the success of other states in improving services and lowering costs of health care and prescription drugs to Medicaid recipients through public-private partnerships, including other states' disease management programs, and to recommend whether Virginia should adopt similar programs. In conducting its study, the Commission shall examine the other states' programs for improving services and lowering costs of health care and prescription drugs through agreements with the private sector, including Florida's Medicaid Initiative and its Medicaid Disease Management Initiative.

Patron - Bell

D SJ64 Future of manufacturing in Virginia. Establishes a joint subcommittee to study manufacturing needs and the future of manufacturing in Virginia. The joint subcommittee shall (i) assess the current state of the manufacturing sector of Virginia's economy; (ii) determine how the sector's needs may be addressed quickly, efficiently, and cost-effectively; and (iii) consider what role state and local governments should have in this endeavor. The joint subcommittee must submit its findings and recommendations to the 2005 Session of the General Assembly.

Patron - Wagner

D SJ74 Public funding of higher education Establishes a joint subcommittee to study the public funding of higher education in Virginia. The joint subcommittee shall examine (i) alternatives to the current formulas and methods used by the Commonwealth to fund institutions of higher education; (ii) alternatives for paying for a college education including, but not limited to, interest-free loans guaranteed by the Commonwealth; (iii) the efficacy and appropriateness of delivering degree programs through distance learning; and (iv) access to Virginia institutions of higher education by residents of the Commonwealth, including the feasibility of guaranteeing placement at a four-year institution of higher education in Virginia for certain graduates of Virginia's community colleges satisfying an agreed upon curriculum and grade-point average. Staff support to the joint subcommittee will be provided by the

Senate Committee on Finance and the House Committee on Appropriations. The joint subcommittee must report its findings and recommendations to the 2006 Session of the General Assembly.

Patron - Stosch

D SJ75 Incentives for preserving forestland. Requests the Board of Forestry, with assistance from the Virginia Department of Forestry, to study the provision of incentives to private landowners to hold and preserve forestland. In conducting the study, the Board is to (i) review laws and programs of other states, localities, and agencies and (ii) seek comments and recommendations from citizens, conservation groups, farm and forest landowner association representatives, and forest industry association representatives for the purpose of recommending mechanisms that will provide incentives to private landowners to maintain and preserve their forestland for the environmental and economic benefit of the Commonwealth. The Board must submit its findings and recommendations to the 2005 Session of the General Assembly.

Patron - Ticer

D SJ80 Proposed child-care regulations. Directs the Joint Legislative Audit and Review Commission to study the potential impact of the amended 22 VAC 15-30, Standards for Licensed Child Day Care Centers, on providers, parents, and children. The commission shall submit a report no later than September 15, 2004. The Governor is requested to consider the results of the study prior to his approval of the regulation. This resolution is identical to HJR 114.

Patron - Newman

D SJ86 Establishing a public four-year institution in South Central Virginia. Requests the State Council of Higher Education to consider the establishment of a public four-year degree granting institution of higher education in South Central Virginia in developing its systemwide needs assessment plan for higher education in the Commonwealth. The institution must strengthen and support existing public and private institutions of higher education in the South Central Virginia region. In its deliberations to develop the plan, the Council shall (i) solicit input from and collaborate with all interested parties, and (ii) evaluate all available options, including, but not limited to, the creation of a branch campus of an existing institution in the South Central Virginia region. The Council must report its progress in meeting the objectives of the resolution to the 2005 Session of the General Assembly. This resolution is identical to HJR 197.

Patron - Reynolds

D SJ89 Incorporation of churches. Establishes a joint subcommittee to study the issues attendant to the incorporation of churches in Virginia. The joint subcommittee shall examine, among other issues it deems appropriate, (i) whether churches properly can incorporate in those portions of the state not covered by the United States District Court for the Western District of Virginia's ruling; (ii) how unincorporated churches should transition from "trustee" ownership to "corporate" ownership of real property; and (iii) whether statutory restrictions on the amount of real property a church may hold apply to incorporated churches. The joint subcommittee shall submit its findings and recommendations to the 2005 Session of the General Assembly.

Patron - Mims

D SJ90 Administrative and financial relationships between the Commonwealth and its institutions of higher education. Establishes a joint subcommittee to examine the issues and law relating to the feasibility and practicability of restructuring the administrative and financial relationships

between the Commonwealth and its public institutions of higher education. The joint subcommittee must submit its findings and recommendations to the 2005 Session of the General Assembly.

Patron - Chichester

D SJ95 Impact of blighted or deteriorated properties in older urban communities. Directs the Virginia Housing Study Commission to study the impact of blighted or deteriorated properties in older urban communities as part of the commission's study on the development of a statewide housing policy.

Patron - Lucas

D SJ111 Southwest Virginia economic development. Establishes a joint subcommittee to study measures to improve and enhance economic development in the Southwest region of the Commonwealth. The joint subcommittee shall review methods to attract business and industry to the Southwest region of the state through (i) actions that may be taken by the state government, (ii) joint efforts with neighboring states and local governments, and (iii) programs provided by or through institutions of higher education and the business community located in the region. The joint subcommittee must submit its findings and recommendations to the 2006 Session of the General Assembly.

Patron - Puckett

D SJ131 Sexual assault. Requests the Department of Health, with primary assistance from the Department of Criminal Justice Services, to study the effectiveness of the statewide response to sexual assault victims and the prevention of sexual assault, and to make recommendations to the General Assembly.

Patron - Watkins

Failed

: **HJ8 Sheriffs' staffing standards.** Creates a joint subcommittee to study staffing standards for sheriffs' departments.
Patron - Cosgrove

: **HJ17 Joint Rules Committee to study the formation of a bipartisan redistricting commission.** Requests the Committee to (i) evaluate the present Virginia redistricting process, (ii) review alternative redistricting processes used in other states, (iii) consider both constitutional and statutory changes in the process, and (iv) study the criteria that should be followed in developing redistricting plans. The Committee shall complete its work by November 30, 2004. This resolution is incorporated into HJR 165.
Patron - Purkey

: **HJ20 Joint subcommittee to study medical, ethical, and scientific issues relating to stem cell research conducted in the Commonwealth.** Establishes a joint subcommittee to study stem cell research in Virginia. In conducting its study, the joint subcommittee shall examine the medical, ethical and scientific policy implications of prohibiting the creation of embryos in vitro for any purpose other than bringing them to birth, and the criminalizing of the transfer of compensation, in cash or in-kind, to induce any person to donate sperm or eggs for any purpose other than procreation. The joint subcommittee shall also examine the efficacy of research using adult stem cells rather than embryonic stem cells. The chairman must submit an executive summary of the joint subcommittee's findings and recommendations no later than the first day of the 2005 Regular Session of the General Assembly to the Division of Legislative Automated Systems.

The executive summary shall state whether the joint subcommittee intends to submit to the Governor and the General Assembly a report of its findings and recommendations for publication as a document. The executive summary and the report shall be posted on the General Assembly's website.

Patron - Marshall, R.G.

: **HJ39 Economic development and retention.**

Establishes a joint subcommittee to study economic development and the retention of existing businesses within the Commonwealth. In conducting its study, the joint subcommittee shall research and ascertain necessary programs that will aid in retaining businesses within the Commonwealth including (i) no- or low- interest loans, (ii) tax refunds based on job creation, (iii) waiver of permit fees, (iv) relief from or assistance with utility taxes, (iv) subsidies for land purchases, and (v) any other programs, plans or processes that enhance business retention within the Commonwealth. The joint subcommittee shall complete its work by November 30, 2004.

Patron - Purkey

: **HJ42 Medicaid nonemergency transportation services.**

Directs the Joint Commission on Health Care to study the current provision of brokered nonemergency transportation for Medicaid recipients through the Logisticare contract. The Joint Commission shall examine the previous pilot program in far southwest Virginia and the efforts by states similar to Virginia to provide cost-effective Medicaid transportation. The Joint Commission shall make legislative, regulatory, policy, or administrative recommendations that would result in a nonemergency transportation service that is brokered more effectively and responsively, for the benefit of Medicaid recipients, their families, other service providers, and taxpayers. In conducting this study, the Joint Commission shall solicit input from recipients, family members, and providers of transportation and other Medicaid services. The Joint Commission on Health Care shall complete its meetings by November 30, 2004, and the Chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2005 Regular Session of the General Assembly.

Patron - Athey

: **HJ75 Due process accorded noncustodial parents.**

Requests the Department of Social Services to study the due process accorded noncustodial parents in the enforcement remedies used by the Division of Child Support Enforcement. In conducting this study, the Department of Social Services shall evaluate the enforcement remedies used by the Division of Child Support Enforcement, describe the due process procedures currently accorded noncustodial parents prior to enforcement action, and make legislative recommendations to enhance the constitutional requirements of due process for noncustodial parents.

Patron - Jones, D.C.

: **HJ76 Child support enforcement.**

Directs the Joint Legislative Audit and Review Commission to study the Commonwealth's child support enforcement practices. The Joint Legislative Audit and Review Commission shall examine, among other things deemed relevant, the management of the state and local child support enforcement offices, their enforcement and accounting practices, and the high proportion of African Americans in the enforcement base. The Joint Legislative and Audit Commission shall complete its meetings for the first year by November 30, 2004, and for the second year by November 30, 2005, and the Chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the

first day of the next Regular Session of the General Assembly for each year.

Patron - Jones, D.C.

: **HJ83 Business practices and ethical issues relating to assisted reproductive technology conducted by fertility clinics.**

Requests the Joint Commission on Health Care to study for two years the business practices and ethical issues relating to assisted reproductive technology conducted by fertility clinics in the Commonwealth. In conducting its study, the Joint Commission shall make legislative, regulatory or policy recommendations to ensure the quality of assisted reproductive technology and address the ethical quandaries that arise from the scientific manipulation of the origins of human life. The Joint Commission shall solicit input from bioethicists, the fertility industry, appropriate consumer and professional organizations involved in assisted reproductive technology, legal experts, and all other stakeholders. The chairman must submit an executive summary of the Joint Commission's findings and recommendations no later than the first day of both the 2005 and 2006 Regular Sessions of the General Assembly to the Division of Legislative Automated Systems. The executive summary shall state whether the Joint Commission intends to submit to the Governor and the General Assembly a report of its findings and recommendations for publication as a document. The executive summary and the report shall be posted on the General Assembly's website.

Patron - Marshall, R.G.

: **HJ84 Joint subcommittee to study regulation of embryo laboratories engaging in assisted reproductive technology.**

Establishes a joint subcommittee to study the regulation of embryo laboratories engaging in assisted reproductive technology in the Commonwealth. In conducting its study, the joint subcommittee shall solicit input from appropriate consumer and professional organizations with expertise in using, providing, and evaluating professional services and embryo laboratories associated with assisted reproductive technology programs. The joint subcommittee shall review the model certification program developed by the Centers for Disease Control and Prevention for inspecting and certifying laboratories used in fertility clinics that provide assisted reproductive technology and make all necessary legislative, regulatory or policy recommendations to promote quality services. The chairman must submit an executive summary of the joint subcommittee's findings and recommendations no later than the first day of the 2005 Regular Session of the General Assembly to the Division of Legislative Automated Systems. The executive summary shall state whether the joint subcommittee intends to submit to the Governor and the General Assembly a report of its findings and recommendations for publication as a document. The executive summary and the report shall be posted on the General Assembly's website.

Patron - Marshall, R.G.

: **HJ85 Escalating cost of health care in Virginia.**

Establishes a joint subcommittee to study the escalating cost of health care in Virginia. The joint subcommittee shall identify and consider the impact of various influences on escalating health care costs, including dramatically rising prescription drug costs, related to factors such as increased patient demand and education as a result of direct consumer advertising, the introduction of new and expensive drug therapies by pharmaceutical companies, greater reliance on drug therapies by the physician community, and efforts by drug manufacturers to increase market share; the aging of the workforce; increased obesity and other health risk factors among various age groups; critical labor shortages for certain medical professionals such as nurses, physical therapists, and pharmacists; escalating medical malpractice insurance premiums; consolidations of for-

profit health care provider groups, which have enabled providers to negotiate higher reimbursement levels and made it more difficult to contain costs; mergers of health insurers with health care providers, which may result in less competition and increased costs; the erosion in value of fixed-dollar copayment levels over time relative to the cost of medical care to the patient, which may encourage greater use of services; limited information about the effectiveness of many medical tests and procedures; and significant amounts of uncompensated care provided for many individuals without health insurance. The Joint Subcommittee also shall identify potential strategies and mechanisms to address the escalating cost of health care in Virginia, including chronic disease management techniques, provider payment incentive systems, the widespread distribution of comparative quality information about providers and effectiveness information about various medical procedures and tests, restrictive choices of providers, and cost-sharing approaches that provide increased incentives to patients to make cost-effective decisions about their use of health care resources. The joint subcommittee shall complete its meetings for the first year by November 30, 2004, and for the second year by November 30, 2005, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year.

Patron - Marshall, R.G.

: **HJ86 Comprehensive Services for At-Risk Youth and Families.** Establishes a joint subcommittee to study the cost effectiveness of the Comprehensive Services for At-Risk Youth and Families program (CSA). In conducting its study, the joint subcommittee shall study the administration of CSA by state and local governments, including projections of case-loads, service needs and costs, and make recommendations for improvement of program services and strategies for cost containment. The chairman must submit an executive summary of the joint subcommittee's findings and recommendations no later than the first day of the 2005 Regular Session of the General Assembly to the Division of Legislative Automated Systems. The executive summary shall state whether the joint subcommittee intends to submit to the Governor and the General Assembly a report of its findings and recommendations for publication as a document. The executive summary and the report shall be posted on the General Assembly's website.

Patron - Pollard

: **HJ92 Joint Legislative Audit and Review Commission school funding recommendations.** Creates a 10-member legislative study committee to conduct a one-year study of the feasibility and appropriateness of implementing the recommendations of the 2002 Review of Elementary and Secondary School Funding by the Joint Legislative Audit and Review Commission. In conducting its study, the joint subcommittee shall consider, among other things, the implication of requiring that (i) the costs of implementing the Standards of Quality be estimated on principles consistent with producing a current, prevailing cost; (ii) salaries, support costs, and fringe benefits be funded at the full anticipated levels in the budgetary biennium; (iii) the cost of competing factor for Planning Division 8 support salaries be fully funded; (iv) the use of the linear weighted average to determine prevailing costs be reviewed for any dampening effect on estimates of prevailing costs; and (v) recommendations be developed regarding establishing a teacher salary goal for the Commonwealth.

Patron - Rust

: **HJ93 Virginia Public Procurement Act.** Creates a joint subcommittee to study the Virginia Public Procurement Act to ensure the best possible goods and services at the lowest

possible cost and to identify ways that state procurement practices can strengthen Virginia's economy.

Patron - Amundson

: **HJ94 Establishing a joint subcommittee to study the redistricting process.** Creates a joint subcommittee comprised of five House and three Senate members to (i) evaluate the present Virginia redistricting process, (ii) review alternative redistricting processes used in other states including, in particular, Arizona and Iowa, (iii) consider both constitutional and statutory changes in the process, and (iv) study the criteria that should be followed in developing redistricting plans. The subcommittee shall complete its work by November 30, 2004. This resolution is incorporated into HJR 165.

Patron - Amundson

: **HJ102 Nonmigratory Canada geese.** Requests that the Department of Game and Inland Fisheries study strategies to control nonmigratory Canada Geese populations.

Patron - Watts

: **HJ104 Joint Legislative Audit and Review Commission; Office of Inspector General.** Directs the Joint Legislative Audit and Review Commission to study the establishment of an office of inspector general in each Secretariat.

Patron - Brink

: **HJ111 Safe Routes to School.** Requests the Board of Education to examine the feasibility and appropriateness of implementing a Safe Routes to School Program in the Commonwealth. In conducting its study, the Board shall examine (i) Safe Routes to School programs in other states; (ii) the respective roles of state and local education, transportation, law enforcement, and other entities; (iii) current initiatives in the Commonwealth addressing student safety in walking or cycling to school; (iv) relevant fiscal and safety concerns; and (v) such other issues as it deems necessary.

Patron - Van Yahres

: **HJ115 The use and financing of trauma centers in the Commonwealth's hospitals.** Requires the Joint Legislative Audit and Review Commission to study use and financing of Virginia's designated trauma centers. In conducting its study, the Joint Legislative Audit and Review Commission must (i) examine utilization trends vis-a-vis number of patients served and kind of services delivered; (ii) compare Virginia's utilization trends to national utilization trends; (iii) assess the demographics of patients requiring trauma center services in Virginia; (iv) conduct an insurance profile of the patients requiring these services in Virginia and, in so far as possible, the nation; (v) analyze the financial costs and benefits to hospitals of being designated a trauma center, including any public relations or other "good will" benefit from being known as a trauma center; and (vi) determine any steps that can be taken to maintain appropriate and necessary trauma services in Virginia's hospitals. The Commission must report by the first day of the 2005 Session. This resolution is incorporated into HJR 183.

Patron - Jones, D.C.

: **HJ121 Local correctional facilities.** Establishes a joint subcommittee to study good conduct allowance for jail inmates.

Patron - Keister

: **HJ131 Expansion of Hampton Roads Bridge-Tunnel.** Requests the Virginia Department of Transportation to study the desirability, feasibility, and cost of constructing two additional tunnel tubes parallel to the existing tunnel tubes of

the Hampton Roads Bridge-Tunnel connecting the Cities of Hampton and Norfolk and expanding a portion of Interstate Route 64 in Norfolk.

Patron - Gear

: **HJ135 Access to and the availability of geriatricians and ways to increase geriatrics expertise among Virginia's health professionals; report.** Directs the Joint Commission on Health Care to survey the Commonwealth's three medical schools and other health professional programs in Virginia's private and public institutions of higher education to ascertain how geriatrics is covered in the curricula and what, if any, plans have been or are being made to develop specific programs focused on geriatrics or incorporating appropriate principles into the present programs for surgeons, psychiatrists, neurologists, dentists, other specialty areas, and primary care specialties. The Joint Commission must also ascertain how the known effects of aging on the immune system, the nervous system and other organ systems are approached or included in the relevant courses of various undergraduate courses for health care professionals or basic science classes for graduate and professional students. In its deliberations, the Joint Commission shall determine the adequacy of the Commonwealth's programs and whether additional projects, programs, or curriculum should be initiated in order to produce an adequate supply of geriatricians to care for Virginia's senior citizens. Upon completion of its data collection and analyses, the Joint Commission must make recommendations concerning (i) the professionals that should be encouraged to study geriatrics, (ii) additions to any medical school or higher education curriculum, (iii) the number of geriatricians in various health professions and specialties that will be needed in Virginia by 2010, and (iv) initiatives for individuals enrolled in various medical and health care education to become geriatricians. The Joint Commission must report its findings by the first day of the 2005 Session.

Patron - Morgan

: **HJ143 Escalating costs of health insurance in Virginia.** Establishes a 10-member joint subcommittee to study the escalating costs of health insurance in Virginia, by identifying and considering the impact of various influences such as the dramatically rising prescription drug costs; increased patient demand and education for new drugs and other new medical therapies; the effects of direct consumer advertising; greater reliance on drug therapies by the physician community; efforts by drug manufacturers to increase market share; the aging of the workforce; increased obesity and other health risk factors among various age groups; critical labor shortages for certain medical professionals such as nurses, physical therapists, and pharmacists; escalating medical malpractice insurance premiums; consolidations of for-profit health care provider groups, which have enabled providers to negotiate higher reimbursement levels and made it more difficult to contain costs; mergers of health insurers with health care providers, which may result in less competition and increased costs; the erosion in value of fixed-dollar co-payment levels over time relative to the cost of medical care to the patient, which may encourage greater use of services; limited information about the effectiveness of many medical tests and procedures; and significant amounts of uncompensated care provided for many individuals without health insurance. The joint subcommittee must also collect and analyze data relating to the past and present business practices of the insurance companies, without intruding into the realm of proprietary business information, to determine the companies' yearly total premiums, surplus funds, net incomes, and assets; the salaries of executives and bonuses or other perquisites for executives; workforce size and makeup; actual costs of the delivered services to the company, as negotiated with health care providers;

the effects of conversion to stock companies; and the effects of any changes in corporate documents or any other matters relating to company structure and form that may be relevant to costs. This two-year study group must report by way of an executive summary posted by the first day of the 2005 and 2006 Sessions. The executive summary will note whether a report will be submitted.

Patron - Marshall, R.G.

: **HJ147 Department of Social Services; reporting of adult abuse and neglect.** Requests the Virginia Department of Social Services to study the detection and reporting of caregiver abuse, neglect, and exploitation of adults. In conducting its study, the Department shall (i) determine whether caregiver abuse, neglect, and exploitation of adults can be adequately prosecuted under existing domestic violence or other criminal statutes; (ii) determine whether hospital admission procedures should track occurrences of conditions that could indicate adult abuse or neglect; (iii) develop a list of mandatory reporters and establish reporting procedures comparable to those regarding suspected abuse or neglect of children; and (iv) determine whether family violence fatality review teams should investigate the deaths of adults who were being cared for by nonfamily members when abuse or neglect is a suspected cause of death. The commissioner of the Department shall submit to the Division of Legislative Automated Systems an executive summary and report of the progress in meeting the request of this resolution no later than the first day of the 2005 Regular Session of the General Assembly. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Patron - Watts

: **HJ149 Establishing a joint subcommittee to examine advisory referenda procedures.** Establishes an eight-member joint subcommittee appointed from the House and Senate Committees on Privileges and Elections to propose a uniform process for advisory referenda for localities throughout the Commonwealth.

Patron - Ware, O.

: **HJ151 Need for and cost of additional veterans care centers and cemeteries.** Requests that the Department of Veterans Services study the need for and cost of additional veterans care centers and cemeteries. The Department of Veterans Services shall (i) examine the present services provided by Virginia's veterans care centers and cemeteries and the related costs; (ii) identify situations where veterans' needs are not presently being met; (iii) examine whether changes to the federal government's veterans' policies and practices are failing to meet the needs of Virginia's veterans; (iv) recommend whether Virginia should increase the services it provides Virginia's veterans via care centers and cemeteries and identify the related costs; (v) recommend whether Virginia should construct or acquire facilities to house additional veterans care centers and identify the related costs; and (vi) recommend whether Virginia should acquire property for additional veterans cemeteries and identify the related costs. The Department of Veterans Services shall complete its meetings by November 30, 2004, and the executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2005 Regular Session of the General Assembly.

Patron - Dillard

: **HJ155 Racial and ethnic disparity in mental health services.** Establishes a joint subcommittee to study

racial and ethnic disparity in mental health services. In conducting its study, the joint subcommittee shall identify the mental disorders prevalent among racial and ethnic minority citizens in the Commonwealth, (ii) determine whether such persons suffer disproportionately from depression and substance abuse; (iii) determine why such persons are less likely to receive needed mental health services and whether they have less access to such services, and the availability of mental health services; (iv) assess the quality of mental health services that minorities receive and whether mental health care providers are required to develop cultural diversity competencies; (v) assess the extent to which cultural, economic, and social influences are determinants of mental illness, and how such factors effect the willingness of minority citizens to seek care, communication with mental health care providers, and diagnosis, treatment, and service delivery; (vi) ascertain the supply and demand of racial and ethnic mental health care providers; and (vii) recommend ways to eliminate racial and ethnic disparity in mental health services and the underrepresentation of minorities in mental health research. The joint subcommittee must submit an interim report to the 2004 and 2005 Sessions of the General Assembly.

Patron - Baskerville

: **HJ157 Racial and ethnic disparities in health care.** Establishes a joint subcommittee to study ways to eliminate racial and ethnic disparity in health care in Virginia. In conducting its study, the joint subcommittee shall (i) identify the health status and needs of racial and ethnic minority populations in Virginia; (ii) evaluate the need for more racial and ethnic minority health care providers; (iii) determine ways to improve and increase the delivery of health care services in minority and medically underserved communities, including strategies to overcome language barriers; (iv) ascertain the need for cultural competency training for health care providers; (v) assess the need for patient education programs to increase patients' health literacy, knowledge, and skills in navigating the health care system; and (vi) consider such other related issues and concerns as the joint subcommittee deems necessary and appropriate to accomplish the objectives of this resolution. The joint subcommittee must submit an executive summary of its findings and recommendations to the 2004 and 2005 Sessions of the General Assembly.

Patron - Baskerville

: **HJ160 Pain management in long-term care facilities in the Commonwealth.** Directs the Joint Commission on Health Care to conduct a study of the issue of developing a pain management standard for long-term care facilities in Virginia. In conducting its study, the Joint Commission must review the report of the National Conference of State Legislatures titled "State Initiatives in End of Life Care," outlining advice and questions to guide legislators in improving pain and symptom management for patients approaching the end of their lives. This resolution details statistics indicating that nursing home residents do not receive adequate pain assessments or pain management therapy. The Joint Commission is directed to report its findings by the first day of the 2005 Session.

Patron - Brink

: **HJ161 Joint subcommittee to study the appointment, responsibilities, and oversight of the Commonwealth's general registrars.** Creates a nine-member joint subcommittee to examine various issues involving the appointment, responsibilities and oversight of office of the general registrar.

Patron - Jones, S.C.

: **HJ165 Joint subcommittee to study the redistricting process.** Creates a joint subcommittee comprised of

five House and three Senate members to (i) evaluate the present Virginia redistricting process, (ii) review alternative redistricting processes used in other states including, in particular, the use of advisory commissions to prepare redistricting plans for consideration by the legislature, (iii) consider both constitutional and statutory changes in the process, and (iv) study the criteria that should be followed in developing redistricting plans. The subcommittee shall complete its work by November 30, 2004.

Patron - Plum

: **HJ166 U.S. Route 460 Communications Committee.** Extends the Committee's mandate until construction of the U.S. Route 460 upgrade project has begun. This resolution is incorporated into HJR 185.

Patron - Wardrup

: **HJ167 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

: **HJ169 Qualifications for boards of visitors of the Commonwealth's public institutions of higher education.** Establishes a joint subcommittee to study the feasibility and appropriateness of requiring qualifications of members of the boards of visitors of public institutions of higher education in Virginia. The joint subcommittee is charged to consider, among other things, qualifications and training requirements of boards of visitors in the Commonwealth and other states; the appointment and term requirements for boards of visitors in other states; the recommendations of the Governor's Blue Ribbon Commission on Higher Education; and such other issues as it deems necessary. The joint subcommittee must submit its executive summary by the first day of the 2005 Regular Session of the General Assembly.

Patron - Purkey

: **HJ177 Development of a National Lambda Rail Advanced Performance Standard Initiative.** Directs the Joint Commission on Technology and Science to determine what public resources, including but not limited to public-private partnerships, other public and private resources, taxation policies, and direct financial assistance may be used to further the development of a National Lambda Rail, advanced, high-speed telecommunications backbone network with the capability of transmitting a minimum of one gigabit per second (OC-24) utilizing the IPv6 Internet Protocol to all workstations within the Commonwealth; and monitor, cooperate, and coordinate with other agencies of the Commonwealth and committees of the General Assembly to ensure a sound, progressive statewide program is in place and being actively pursued. The National Lambda Rail project is a collaborative effort among a number of universities, federal research and development agencies, and private sector firms to develop a next generation Internet for research and education, including both enhanced network services as well as the multimedia applications that will be enabled by those services.

Patron - Rust

: **HJ178 Linear weighted average.** Requests the Joint Legislative Audit and Review Commission to study the feasibility and appropriateness of modifying or eliminating use of the linear weighted average in the calculation of certain costs of providing educational programs meeting the Standards of Quality. In conducting its study, the Joint Legislative Audit and Review Commission shall review, among other things, (i) its findings and recommendations regarding the linear weighted average in its 2002 Review of Elementary and Secondary School Funding and in its 2003 Interim Report on Best Practices for the Support Services of School Divisions; (ii) funding methodologies implemented in other states; and (iii) such other issues as it deems appropriate. The Joint Legislative Audit and Review Commission shall complete its meetings by November 30, 2004, and the Chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2005 Regular Session of the General Assembly. This resolution is incorporated into HJR 92.

Patron - Dillard

: **HJ184 Tourism.** Establishes a joint subcommittee to study the growth of tourism in the Commonwealth. The study will (i) examine consumer and business travel trends; (ii) review projected estimates of travel expenditures and travel-generated payroll and employment in the Commonwealth; (iii) evaluate the performance of travel-related industries and the state's infrastructure to sustain and promote tourism, including the labor force, transportation (air, rail, and roads), restaurants, accommodations, welcome centers, amusement and recreation services; (iv) evaluate the Commonwealth's spending on promoting tourism through advertisement and marketing strategies and examine ways to bolster such strategies; and (v) examine opportunities to promote regional tourism with neighboring states.

Patron - McDonnell

: **HJ198 Cost savings in providing members with videoconferencing equipment.** Directs the Clerk of the House of Delegates and the Clerk of the Senate to collect data on the potential cost savings of providing members with communication equipment to enable them to participate in interim meetings through videoconferencing. In collecting the data, the Clerks shall identify (i) the costs of acquiring, maintaining, and upgrading videoconferencing equipment, including hardware, software, and network access, for members to use from remote locations; (ii) the potential cost savings from reduced payments for travel-related expenses; and (iii) any other relevant cost factor involved with the expansion of videoconferencing.

Patron - Armstrong

: **HJ201 Faculty compensation.** Requests the State Council of Higher Education to examine the current methodology for establishing faculty salary structure among the public institutions of higher education in the Commonwealth for the purpose of assessing the parity and appropriateness of the current system. The State Council shall complete its study by October 1, 2004, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2005 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

Patron - Nutter

: **HJ203 Redistricting commission.** Establishes a joint subcommittee to study the desirability of creating a Virginia Redistricting Commission. This resolution is incorporated into HJR 165.

Patron - Moran

: **HJ227 Conditional zoning.** Establishes a joint subcommittee to study conditional zoning and its effect on residential development patterns and the cost of housing. This resolution is incorporated into HJR 170.

Patron - Ingram

: **HJ274 Seriously injured public safety officers.** Establishes a joint subcommittee to study Virginia's current benefits for public safety officers who suffer catastrophic personal injuries in the line of duty and to make recommendations to the General Assembly for any changes or additions to such benefits deemed appropriate. This resolution is incorporated into HJR 34.

Patron - Carrico

: **SJ1 Virginia Public Records Act.** Creates a joint subcommittee to study the Virginia Public Records Act, electronic records, and their effect on the state depository system. In conducting its study, the joint subcommittee shall examine the Virginia Public Records Act and the extension of its scope to (i) provide and assign authority to establish and maintain guidelines or regulations for the creation, transfer, and archival preservation of electronic state records and publications; (ii) provide and assign authority to establish and maintain procedures for the official authentication of e-records and documents; and (iii) establish a means to identify, describe, receive, and manage discrete electronic government information products covered by copyright. This resolution is a recommendation of the Joint Subcommittee to Study the Operations, Practices, Duties, and Funding of the Commonwealth's Agencies, Boards, Commissions, Councils, and Other Governmental Entities pursuant to HJR 159 (2002). This resolution is identical to HJR 6.

Patron - Martin

: **SJ22 Kinship care.** Directs the Joint Legislative and Audit Review Commission to determine (i) the extent to which children in foster care are placed with relatives and the conditions under which children enter kinship care; (ii) the costs and sources of funds from all sources for kinship care; (iii) the current policy of the Commonwealth regarding kinship care; (iv) the characteristics of kinship caregivers and their households, services provided to kinship caregivers and birth parents; (v) the conditions, if any, under which birth parents may have access to their children in kinship care; and (vi) whether and how plans to provide transition from temporary to permanent kinship care for children should be developed and implemented.

Patron - Miller

: **SJ27 Redistricting process.** Creates a joint subcommittee comprised of five House and three Senate members to (i) evaluate the present Virginia redistricting process, (ii) review alternative redistricting processes used in other states, (iii) consider both constitutional and statutory changes in the process, and (iv) study the criteria that should be followed in developing redistricting plans.

Patron - Williams

: **SJ28 Educational technology funding.** Creates a 14-member joint subcommittee, comprised of legislators, citizens, and agency officials, to review the feasibility and appropriateness of implementing the educational technology funding

options recommended by the Joint Legislative and Audit Review Commission.

Patron - Puller

: **SJ29 Need for and cost of additional veterans care centers.** Requests that the Department of Veterans Services study the need for and cost of additional veterans care centers. The Department of Veterans Services shall (i) examine the present services provided by Virginia's veterans care centers and the related costs; (ii) identify situations where veterans' needs are not presently being met; (iii) examine whether changes to the federal government's veterans' policies and practices are failing to meet the needs of Virginia's veterans; (iv) recommend whether Virginia should increase the services it provides Virginia's veterans via care centers and identify the related costs; and (v) recommend whether Virginia should construct or acquire facilities to house additional veterans care centers and identify the related costs. The Department of Veterans Services shall complete its meetings by November 30, 2004, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations no later than the first day of the 2005 Regular Session of the General Assembly. This resolution was referred to the Senate Committee on Finance for further consideration of the topic by one of its subcommittees during the 2004 interim.

Patron - Puller

: **SJ37 Overpopulation of companion animals.** Requests the State Veterinarian to study means to address the issue of overpopulation of companion animals and the associated high rate of euthanasia.

Patron - Potts

: **SJ45 Issues relating to delegation to registered nurses of screening and testing pursuant to the Medicaid program known as Early and Periodic Screening, Diagnosis and Treatment (EPSDT).** Requests the Secretary of Health and Human Resources to establish a task force to examine registered nurse delegation of screening and testing under EPSDT. Early and Periodic Diagnosis and Treatment services to children eligible for medical assistance services, which includes comprehensive child health assessments and testing, such as blood-lead testing, when indicated, is a requirement for state Medicaid programs. In conducting its study, the Secretary's task force must (i) review the EPSDT protocols; (ii) identify the screening and testing tasks that could presently be delegated to registered nurses; (iii) identify any screening and testing tasks that would require additional training to be delegated to registered nurses; (iv) evaluate any quality of care issues relating to delegation to a registered nurse by a physician or nurse practitioner; (v) evaluate any costs/reimbursement issues relating to delegation to a registered nurse by a physician or nurse practitioner; (vi) evaluate supervision issues relating to delegation to a registered nurse by a physician or nurse practitioner; (vii) consider the advantages or benefits and disadvantages or disincentives to physicians and nurse practitioners of authorization to delegate EPSDT screening and testing to registered nurses; and (viii) consider whether any cost savings can be realized for delegation to a registered nurse of EPSDT screening and testing. This resolution is a recommendation of the Joint Subcommittee Studying Lead-Poisoning Prevention.

Patron - Lambert

: **SJ46 Facilitating communication and cooperation on blood-lead testing issues.** Requests the Division of Consolidated Laboratory Services and the Secretary of Health and Human Resources to establish a task force to evaluate relevant agencies' processes, forms, guidance letters, etc. that

could be revised or standardized to (i) improve providers' understanding of when to submit samples to the Division for testing; (ii) avoid inappropriate funding of tests; and (iii) document for federal authorities the efficiency of the blood-lead testing component of Lead-Safe Virginia. The purpose of the taskforce will be to establish a consistent approach to the processes and communications relating to blood-lead testing. The Division of Consolidated Laboratory Services and the Secretary of Health and Human Resources may view this collaboration as a pilot study to determine if other collaboration on processes, communications and forms would benefit all involved parties. This resolution is a recommendation of the Joint Subcommittee Studying Lead-Poisoning Prevention.

Patron - Lambert

: **SJ48 Reestablishment of the Joint Commission on Management of the Commonwealth's Workforce.** Reestablishes the Joint Commission on Management of the Commonwealth's Workforce to continue its comprehensive evaluation of the Commonwealth's Compensation, personnel, and management policies and procedures and formulate recommendations for improvements. This resolution was referred to the Senate Committee on Finance for further consideration of the topic by one of its subcommittees during the 2004 interim.

Patron - Lambert

: **SJ50 Public-Private Long-Term Care Insurance Partnership Programs for Virginia.** Requests the Department of Medical Assistance Services to study the feasibility of Public-Private Long-Term Care Insurance Partnership Programs for Virginia. In conducting its study, the Department of Medical Assistance Services shall (i) project the need for long-term care services in Virginia; (ii) review the provisions and determine the number of long term care insurance policies sold in the Commonwealth; (iii) consider the criteria that should be established for public-private long-term care insurance partnership programs in Virginia; (iv) estimate the costs savings to the Commonwealth with the implementation of such insurance partnership programs; and (v) recommend such changes in the law that may be necessary for the implementation of such programs.

Patron - Edwards

: **SJ53 Remote sales tax collection.** Creates a joint subcommittee consisting of 17 members (five delegates, four appointed by the Speaker and the chairman of the Joint Commission on Technology and Science, who is a delegate and a member of the House Committee on Science and Technology; three senators; six citizens; and the Secretaries of Finance, Technology, and Commerce and Trade, who serve as nonvoting members) to study the impact of collecting remote sales taxes on the economy of the Commonwealth, including the impact on revenue and small businesses. In conducting its study, the joint subcommittee shall determine the amount of revenue the Commonwealth would generate and the impact on small businesses within the Commonwealth if the Commonwealth collected taxes on remote sales; and the ability to use the lack of a requirement to collect remote sales as a marketing tool.

Patron - Devolites

: **SJ56 Outsourcing certain noninstructional services.** Requests the Joint Legislative Audit and Review Commission (JLARC) to study outsourcing opportunities for noninstructional services in public school divisions in the Commonwealth. In conducting its study, the JLARC shall examine (i) current state and local costs incurred for noninstructional services in the public schools; (ii) noninstructional services that local school divisions may provide beyond those

that may be currently required by statute or regulation; (iii) the extent to which school divisions currently seek private sector providers for noninstructional services; (iv) the potential impact of authorizing school divisions to retain any savings realized by such outsourcing; (v) current provisions authorizing the reversion of local funds; and (vi) such other issues as it deems appropriate.

Patron - O'Brien

: **SJ71 Status and educational needs of African-American students in Virginia.** Directs the Dr. Martin Luther King, Jr. Memorial Commission to study the status and educational needs of African-American students in Virginia. The Commission shall (i) conduct a comprehensive evaluation of the status of education of African-American students in Virginia; (ii) identify the factors contributing to the academic achievement gap between African-American students and students of other races; (iii) determine the educational needs of such students throughout the educational continuum; (iv) develop a plan to close the academic achievement gap; (v) propose recommendations to improve the education of such students; and (vi) consider such other related issues and concerns as the Commission may deem appropriate and necessary to accomplish the objectives of this resolution.

Patron - Marsh

: **SJ78 Transportation maintenance, construction, and funding.** Establishes a 10-member joint subcommittee to conduct a two-year study of Virginia's transportation maintenance and construction program and its funding. This resolution was referred to the Senate Committee on Finance for further consideration of the topic by one of its subcommittees during the 2004 interim.

Patron - Hanger

: **SJ82 Senate and House Finance Committees to continue study of tax code.** Directs the Senate Committee on Finance and the House Committee on Finance to continue reviewing the state tax code and tax policy issues on an ongoing basis. This resolution was referred to the Senate Committee on Finance for future examination of the topic during the 2004 interim.

Patron - Hanger

: **SJ87 Joint subcommittee on the future of Virginia's public institutions of higher education.** Creates the 20-member, two-year joint subcommittee on the future of Virginia's public institutions of higher education. In conducting its study, the joint subcommittee shall examine, among other things, (i) access to Virginia's public institutions and projected enrollments; (ii) tuition and fee considerations and the availability of student financial aid from public and private sources; (iii) capital construction challenges and the feasibility of enhancing distance learning opportunities; (iv) faculty recruitment and retention; (v) admissions policies and minority access; (vi) such other issues as it deems appropriate.

Patron - Mims

Carried Over

7 HJ81 Public-private funding of studies. Directs the Joint Legislative Audit and Review Commission, with the assistance of the Attorney General, to study the appropriateness and feasibility of creating public-private partnerships for funding studies to benefit the Commonwealth. The Commission shall examine (i) public-private study partnerships in other states; (ii) the feasibility and appropriateness of implementing any such partnerships in the Commonwealth on a pilot project basis; and (iii) constitutional, financial, and policy issues

regarding the creation of hybrid public-private studies. The Commission shall develop criteria for determining what studies should receive public-private funding and a process and criteria for soliciting, accepting and distributing private funds.

Patron - Purkey

7 HJ87 Compliance with No Child Left Behind Act. Requests the Joint Legislative Audit and Review Commission to study the fiscal implications of the Commonwealth's compliance with the federal No Child Left Behind (NCLB) Act. In conducting its study, the Joint Legislative Audit and Review Commission shall examine (i) the additional initiatives Virginia must enact to comply with NCLB, and the estimated associated costs, specifically, the potential costs imposed by additional assessments, training and employment of highly qualified teachers and instructional paraprofessionals, and enhanced data collection and reporting systems; (ii) the levels of federal funding the Commonwealth currently receives to support public education initiatives; (iii) the fiscal and policy implications of noncompliance with the Act; and (iv) such other issues as it deems appropriate.

Patron - Pollard

7 HJ119 Use of soil stabilizers in highway shoulders. Requests the Virginia Transportation Research Council to study the use of soil stabilizers in highway shoulders at one or more selected locations.

Patron - May

7 HJ128 Department of Taxation to study sales tax exemptions. Requests the Department of Taxation to study all of the sales and use tax exemptions. In conducting its study, the Department will compile data for each of the 10 categories of sales tax exemptions including, when possible, (i) the number (or an estimate) of entities taking the exemptions, (ii) the revenue loss broken down by types of organizations within each of the 10 categories as far as possible, and (iii) any other data it deems helpful in evaluating the exemptions and their impact on revenues. The Department of Taxation shall also describe problems with how the current exemption process works and recommend changes to improve it. It is a two-year study with a report to be submitted to the 2005 and 2006 General Assembly Sessions.

Patron - Hamilton

7 HJ144 Bureau of Insurance; the operations of the health insurance industry and the escalating cost of health insurance in Virginia. Requests the Bureau of Insurance to study the operations of the health insurance industry and the escalating cost of health insurance in Virginia by identifying and considering the impact of various influences on escalating health insurance costs, including dramatically rising prescription drug costs; increased patient demand and education for new drugs and other new medical therapies; the effects of direct consumer advertising; greater reliance on drug therapies by the physician community; efforts by drug manufacturers to increase market share; the aging of the workforce; increased obesity and other health risk factors among various age groups; critical labor shortages for certain medical professionals such as nurses, physical therapists, and pharmacists; escalating medical malpractice insurance premiums; consolidations of for-profit health care provider groups, which have enabled providers to negotiate higher reimbursement levels and made it more difficult to contain costs; mergers of health insurers with health care providers, which may result in less competition and increased costs; the erosion in value of fixed-dollar co-payment levels over time relative to the cost of medical care to the patient, which may encourage greater use of services; limited information about the effectiveness of many medical tests and procedures; and significant amounts of

uncompensated care provided for many individuals without health insurance. The Bureau of Insurance must also collect, analyze, and report aggregate data relating to the past and present business practices of the insurance companies to determine the companies' yearly total premiums, surplus funds, net incomes, and assets; the salaries of executives and bonuses or other perquisites for executives; workforce size and makeup; actual costs of the delivered services to the company, as negotiated with health care providers; the effects of conversion to stock companies; and the effects of any changes in corporate documents or any other matters relating to company structure and form that may be relevant to costs. In addition, the Bureau of Insurance will identify potential strategies and mechanisms to address the escalating costs of health insurance in Virginia, including regulatory schemes and enforcement, chronic disease management techniques, provider payment incentive systems, the widespread distribution of comparative quality information about providers and effectiveness information about various medical procedures and tests, restrictive choices of providers, and cost-sharing approaches that provide increased incentives to patients to make cost-effective decisions about their use of health care resources. The Bureau of Insurance will report an executive summary and a report of its findings and recommendations (for publication as a document) by the first day of the 2005 Regular Session of the General Assembly.

Patron - Marshall, R.G.

7 HJ181 School division consolidation. Directs the Joint Legislative Audit and Review Commission to study (i) current state constitutional and statutory provisions governing school division consolidation; (ii) relevant judicial precedent addressing school desegregation and other constitutional concerns; (iii) current cooperative practices for shared services in Virginia school divisions; (iv) school consolidation procedures in other states; (v) economic and educational efficiencies to be gained or lost by school division consolidations; (vi) recent division consolidations and joint school division operations in Virginia; and (vii) such other issues as it deems appropriate. The study is to be completed in one year.

Patron - Saxman

7 HJ182 Outsourcing certain noninstructional services. Requests the Joint Legislative Audit and Review Commission (JLARC) to study outsourcing opportunities for noninstructional services in public school divisions in the Commonwealth. In conducting its study, the JLARC shall examine (i) current state and local costs incurred for noninstructional services in the public schools; (ii) noninstructional services that local school divisions may provide beyond those that may be currently required by statute or regulation; (iii) the extent to which school divisions currently seek private sector providers for noninstructional services; (iv) the potential impact of authorizing school divisions to retain any savings realized by such outsourcing; (v) current provisions authorizing the reversion of local funds; and (vi) such other issues as it deems appropriate.

Patron - Saxman

7 HJ226 Natural aquatic resources. Requests the Virginia Institute of Marine Science, in consultation with the appropriate state and federal natural resource management agencies, local governments, and interested parties to study the natural aquatic resources associated with available water resources. It is a two-year study with the final report to be submitted to the 2006 Session of the General Assembly. This resolution was continued to the 2005 Session by the Senate Rules Committee, and the subject matter will be considered by the State Water Commission during the 2004 interim.

Patron - Morgan

7 SJ41 General registrars. Creates a nine-member joint subcommittee to examine various issues involving the appointment, responsibilities and oversight of office of the general registrar. The chairman of the Senate Committee on Privileges and Elections agreed to examine the topic of this resolution under his authority granted by the Rules of the Senate during the 2004 interim.

Patron - Martin

7 SJ63 Teachers as state employees. Requests the Board of Education to study the feasibility and appropriateness of granting public school teachers and administrators state employee status. In conducting its study, the Board shall examine (i) state constitutional and statutory requirements as well as judicial interpretation of the supervisory role of school boards; (ii) the fiscal and policy implications for the Commonwealth and local school divisions should responsibility for the employment of administrative and instructional personnel be transferred to the Commonwealth; (iii) the benefits of such a conversion, and alternative methods of procuring such benefits for administrative and instructional personnel; and (iv) such other issues as it deems appropriate.

Patron - Ruff

Charters and Authorities

Passed

D HB24 Rudee Inlet Authority. Repeals the 1960 act that created the Rudee Inlet Authority. The authority has reportedly long been dormant and its duties have been taken over by various city offices of Virginia Beach. This is a recommendation of the Virginia Code Commission.

Patron - Landes

D HB53 Charter; City of Winchester. Increases the term of school board members from three to four years.

Patron - Sherwood

D HB56 Charter; City of Colonial Heights. Shifts city elections for the council and school board from May to November. Those currently in office shall have their terms extended by six months.

Patron - Cox

D HB57 Charter; City of Franklin. Increases the salaries of school board members from \$1,000 to \$4,000 and the school board chairman from \$1,500 to \$5,000.

Patron - Council

D HB58 Luray-Page County Airport Authority. Provides for the establishment of the Luray-Page County Airport Authority upon resolutions adopted by the participating county and town. The powers of the authority, vested in a five-member board of directors, are typical of other airport authorities.

Patron - Louderback

D HB176 Charter; City of Richmond. Provides for the direct election of the mayor, beginning in November 2004. The person receiving the most votes in each of at least five of the nine city council districts shall be elected. Should no one be elected, a runoff election shall be held on between the two persons receiving the highest total of votes citywide. The person receiving the most votes in each of at least five of the nine city council districts shall be elected. An elected term shall run four

years. Anyone eligible to serve on city council may serve as mayor except no one may be elected mayor for three consecutive full terms. The mayor shall be the chief executive officer of the city and shall be responsible for the proper administration of city government. The mayor shall be recognized as the head of government for all ceremonial purposes, military law and the service of civil process. The office of mayor shall be a full-time position with salary and expenses set by the council. The position of city manager is replaced by the position of chief administrative officer, appointed by the mayor subject to the advice and consent of a majority of the members of city council. The chief administrative officer shall serve at the pleasure of the mayor. Additional amendments clarify the responsibilities of the mayor and the chief administrative officer.

Patron - Baskerville

D HB241 Charter; Town of Christiansburg. Provides that neither the mayor nor any member of the town council during his tenure of office as such shall be eligible to any remunerative office, position, or employment with the Town.

Patron - Nutter

D HB249 Charter; City of Fairfax. Provides that the Mayor and council members may be compensated in accordance with general law.

Patron - Petersen

D HB550 Charter; Town of Purcellville. Provides that if a council vacancy occurs prior to the midpoint of the term, there shall be an election at the next regular council election to fill the remaining two years of the term. Also, council is given authority to appoint an architectural review board, which shall be responsible for the review and implementation of architectural design standards for all commercial and overlay districts.

Patron - May

D HB559 Charter; Chesterfield County. Provides that the County shall have the power to create or modify certain assessment districts for local improvements. For any such assessment district created after January 1, 2003, the Board may provide for the payment of an assessment of costs for improvements, or of any installment due pursuant to § 15.2-2413 of the Code of Virginia, to be suspended when any owner who owned property on the day the ordinance creating the assessment district was adopted and who occupies a residential building located on the property is 65 years of age or older.

Patron - Marrs

D HB823 Charter; City of Norfolk. Amends the charter by (i) granting authority to create voluntary design overlay districts, (ii) clarifying the meeting times of council, and (iii) making changes to the status of certain employees reporting to the city manager.

Patron - Drake

D HB968 Charter; City of Williamsburg. Provides that the City may create underground utility districts upon a petition signed by at least three-fourths of the land owners within a proposed district. Also, school board member salaries are clarified and the clerk of council is given additional authority to administer oaths.

Patron - Barlow

D HB994 Charter; Town of Clifton. Provides that the vice mayor shall preside in the absence of the mayor.

Patron - Hugo

D HB1088 Charter; City of Radford. Updates the City's boundary description, provides that all readings of ordi-

nances shall require an affirmative vote of the majority of the members present and voting to pass, and makes numerous technical and clarifying changes.

Patron - Nutter

D HB1112 Charter; City of Harrisonburg. Provides that the mayor may resign the office of mayor without giving up his or her membership on council. Also, the council may, by unanimous vote of the council members other than the mayor, remove the mayor from the office of mayor.

Patron - Weatherholtz

D HB1206 Charter; Town of Glasgow. Provides for staggered council terms and deletes obsolete provisions.

Patron - Cline

D HB1248 Charter; City of Falls Church. Makes changes affecting the internal operations and administration of city government in order to give the City greater flexibility to deal with personnel and other matters.

Patron - Scott, J.M.

D SB97 Charter; City of Fairfax. Provides that the mayor and council members may be compensated in accordance with general law.

Patron - Devolites

D SB124 Charter; City of Richmond. Amends the city's charter to provide for the direct election of the mayor. At the November 2004 election, and every four years thereafter, a general election shall be held to elect the mayor. The person receiving the most votes in each of at least five of the nine city council districts shall be elected. Should no one be elected, a run-off election shall be held between the two persons receiving the highest total of votes citywide. The person receiving the most votes in each of at least five of the nine city council districts shall be elected. An elected term shall run four years. Anyone eligible to serve on city council may serve as mayor except no one may be elected mayor for three consecutive full terms. The mayor shall appoint the chief administrative officer subject to the advice and consent of a majority of the members of city council. The chief administrative officer shall be responsible solely to the mayor and serve at the pleasure of the mayor. The mayor will be a full-time position with salary and expenses set by the city council.

Patron - Watkins

D SB203 Charter; City of Falls Church. Makes changes affecting the internal operations and administration of city government in order to give the City greater flexibility to deal with personnel and other matters.

Patron - Whipple

D SB211 Charter; City of Franklin. Increases the salaries of school board members from \$1,000 to \$4,000 and the school board chairman from \$1,500 to \$5,000.

Patron - Quayle

D SB396 Charter; City of Williamsburg. Provides that the City may create underground utility districts upon a petition signed by at least three-fourths of the land owners within a proposed district. Also, school board member salaries are clarified and the clerk of council is given additional authority to administer oaths.

Patron - Norment

D SB472 Charter; City of Alexandria. Makes several changes including (i) authority to provide grants not to exceed \$5,000 to employees to purchase or rent residences within the City, (ii) grandfathering of city ordinances that may

not have complied with general law, so long as the action was in compliance with the then applicable local law, (iii) clarifying that certain local procedures preempt provisions of general law, and (iv) clarifying certain notice provisions.

Patron - Ticer

D SB522 Charter; City of Lexington. Provides that vacancies in the office of mayor or in council shall be filled by election if the vacancy occurs during the first 18 months of the term.

Patron - Hanger

D SB561 Charter; City of Richmond. Extends council terms from two to four years, subject to approval by voter referendum, restores language repealed by charter amendments of 1998 related to nomination of council candidates, removes the requirement of a public hearing for council appointees who are removed from office, clarifies language regarding appointment and removal of certain appointees, creates a new group of appropriations that are exempt from lapsing at the close of a fiscal year, allows the director of finance to appoint a designee to certify that funds are available for formal bids and provides that the stormwater utility program may be administered by either the Department of Public Works or the Department of Public Utilities.

Patron - Lambert

Failed

: HB63 Charter; City of Richmond. Amends the city's charter to provide for the direct election of the mayor. At the November 2004 election, and every four years thereafter, a general election shall be held to elect the mayor. The person receiving the most votes in each of at least five of the nine city council districts shall be elected. Should no one be elected, a run-off election shall be held between the two persons receiving the highest total of votes citywide. The person receiving the most votes in each of at least five of the nine city council districts shall be elected. An elected term shall run four years. Anyone eligible to serve on city council may serve as mayor except no one may be elected mayor for three consecutive terms. The mayor shall appoint the chief administrative officer subject to the advice and consent of a majority of the members of city council. The chief administrative officer shall be responsible solely to the mayor and serve at the pleasure of the mayor. The mayor will be a full-time position with salary and expenses set by the city council.

Patron - Marshall, R.G.

: HB707 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 - Ingram

: HB1031 Charter; City of Richmond. Provides for the direct election of the mayor, beginning in November 2004. The person receiving the majority of votes in the city at large shall be elected. An elected term shall run four years. No one ineligible to serve on city council may serve as mayor. No person who has served two full terms as mayor may again be eligible for election to the positions of mayor or vice mayor. The mayor shall be the chief executive officer of the city and shall be responsible for the proper administration of city government. The mayor shall have the power to veto any budget, appropriation, tax, levy, resolution, ordinance or other paper

passed by vote of the city council, but council may thereafter override the mayor's veto with a vote of 75 percent or more of the currently filled seats on council. All powers and responsibilities of the city manager under the provisions of the charter shall be vested in the mayor. All references in this charter to the city manager shall be deemed to mean the mayor, unless the context clearly requires a different meaning. The mayor may appoint such staff subordinate to and responsible to him as he may wish, subject to the city budget passed by the council. The mayor shall be recognized as the head of government for all ceremonial purposes, military law and the service of civil process. The office of mayor shall be a full-time position with salary and expenses set by the council.

Patron - Marrs

: SB80 Charter; City of Harrisonburg. Provides that the mayor may resign the office of mayor without giving up his or her membership on council. Also, the council may, by unanimous vote of the council members other than the mayor, remove the mayor from the office of mayor.

Patron - Obenshain

: SB368 Charter; City of Richmond. Extends council terms from two to four years, restores language repealed by charter amendments of 1998 related to nomination of council candidates, removes the requirement of a public hearing for council appointees who are removed from office, clarifies language regarding appointment and removal of certain appointees, creates a new group of appropriations that are exempt from lapsing at the close of a fiscal year, allows the director of finance to appoint a designee to certify that funds are available for formal bids and provides that the stormwater utility program may be administered by either the Department of Public Works or the Department of Public Utilities. This bill is incorporated into SB 561.

Patron - Watkins

Carried Over

7 SB133 Charter; City of Roanoke. Amends the city's charter to allow for both city council and voter petition-initiated advisory referenda. Such referenda may be held on any question relating to the affairs of the city. If a petition-initiated referendum pertaining to a charter amendment passes by a majority vote, then the clerk of the circuit court shall communicate the result to the General Assembly with the same effect as if the council had adopted a resolution requesting the General Assembly to adopt the amendment.

Patron - Edwards

7 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 cents 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